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No. 35]

NEW DELHI, SATURDAY, AUGUST 31, 2002/BHADRA 9, 1924

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-Section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

वित्त मंत्रालय

(राजस्व विभाग)

केन्द्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 12 अगस्त, 2002

का.आ. 2749.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि केन्द्र सरकार आयकर नियमावली, 1962 के नियम 2ड के साथ पठित आयकर अधिनियम, 1961 की धारा 10(23-छ) के प्रयोजनार्थ कर निर्धारण वर्ष 2002-2003, 2003-2004 और 2004-2005 तक के लिए नीचे पैरा 3 में उल्लिखित उद्यम को अनुमोदित करती है।

2. यह अनुमोदन इस शर्त के अधीन है कि :—

- (1) उद्यम/औद्योगिक उपक्रम आयकर नियमावली, 1962 के नियम 2ड के साथ पठित आयकर अधिनियम, 1961 की धारा 10(23-छ) के

उपबंधों के अनुरूप होगा और उनका अनुपालन करेगा,

- (2) केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि उद्यम/औद्योगिक उपक्रम :—

(क) अवसंरचनात्मक सुविधा को जारी रखना बंद कर देता है; और

(ख) खाता बहियों का रख-रखाव नहीं करता है तथा आयकर नियमावली, 1962 के नियम 2ड के उप-नियम (7) द्वारा यथा अपेक्षित किसी लेखाकार द्वारा ऐसे खातों का लेखा परीक्षा नहीं कराता है, अथवा

(ग) आयकर नियमावली, 1962 के नियम 2ड के उप-नियम (7) द्वारा यथा अपेक्षित लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करता है।

3. अनुमोदित उद्यम है: सैसर्स कर्नाटक पावर कॉर्पोरेशन लि., शक्ति भवन, सं. 82 रेस कोर्स रोड, बंगलूर-560001, को उनकी भद्रा राईट बैंक केनाल पावर हाउस (1×6 मेगावाट), शारावती गेरुसोप्पा टेल रेस प्रोजेक्ट (4×60 मेगावाट) और कोन्डासाली डैम पावर हाउस (3×40 मेगावाट) परियोजना के लिए।

[फा.सं. 205/7/98 आयकर नि. II, खंड-1]

[अधिसूचना सं. 200/2002 (फा.सं. 205/7/98-आ.क.नि. II, खण्ड-1)]

संगीता गुप्ता, निदेशक

(c) fails to furnish the audit report as required by sub rule (7) of rule 2E of the Income-tax Rules, 1962.

3. The enterprise approved is M/s. Karnataka Power Corporation Limited, Shakthi Bhawan, No. 82, Race Course Road, Bangalore-560001 for their project Bhadra Right Bank Canal Power House (1X6 MW), Sharavathi Gerusoppa Tail Race Project (4X60 MW) and Kondasali Dam Power House (3X40 MW). (F. No. 205/7/98/ITA.II—Vol. I).

[Notification No. 200/2002/F. No. 205/7/98-ITA-II-Vol. II]

SANGEETA GUPTA, Director

MINISTRY OF FINANCE

(Department of Revenue)

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 12th August, 2002

S.O. 2749.—It is notified for general information that enterprise, listed at para (3) below has been approved by the Central Government for the purpose of section 10(23G) of the Income-tax Act, 1961, read with rule 2E of the Income-tax Rules, 1962, for the assessment years 2002-2003, 2003-2004 and 2004-2005.

2. The approval is subject to the condition that—

(i) the enterprise/industrial undertaking will conform to and comply with the provisions of section 10(23G) of the Income-tax Act, 1961, read with rule 2E of the Income-tax Rules, 1962;

(ii) the Central Government shall withdraw this approval if the enterprise/industrial undertaking:—

(a) ceases to carry on infrastructure facility; or

(b) fails to maintain books of account and get such accounts audited by an accountant as required by sub-rule (7) of rule 2E of the Income-tax Rules, 1962; or

नई दिल्ली, 19 अगस्त, 2002

(आयकर)

का.आ. 2750.—इस विभाग की दिनांक 01-06-2002 की अधिसूचना का आ. 1780 के पैरा 2 पंक्ति 5 में शब्द “ग्रामीण बैंक” को “ग्रामीण विकास” पढ़ा जाए।

[सं. 222/2002/फा.सं. 275/12/2002-आयकर (बजट)]

के. शशिकान्थन, अवर सचिव (आयकर-बजट)

New Delhi, the 19th August, 2002

(INCOME-TAX)

S.O. 2750.—In this Department's Notification S.O. 1780 dated 1-6-2002 in Para 2 in 5th line the words “Rural Bank” may be read as “Rural Development”.

[No. 222/2002/F. No. 275/12/2002-IT(B)]

K. SASIKANTHAN, Under Secy. (IT-B)

आर्थिक कार्य विभाग

(बैकिंग प्रभाग)

नई दिल्ली, 20 अगस्त, 2002

का.आ. 2751.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर घोषणा करती है कि उक्त अधिनियम की धारा 11 की उपधारा (1) के उपबंध सरकारी राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से 31 मार्च, 2004 तक नेल्लोर जिला सहकारी केन्द्रीय बैंक लि., नेल्लोर (आन्ध्र प्रदेश) पर लागू नहीं होंगे।

[फा.सं. 1(9)/2002-एसी]

संगल मराण्डी, अवर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 20th August, 2002

S.O. 2751.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on recommendation of the Reserve Bank of India declares that the provisions of Sub-section (1) of Section 11 of the said Act shall not apply to The Nellore District Co-operative Central Bank Ltd., Nellore (A.P.) from the date of publication of this notification in the Official Gazette to 31 March, 2004.

[F. No. 1(9)/2002-AC]

MANGAL MARANDI, Under Secy.

(बीमा प्रभाग)

नई दिल्ली, 14 अगस्त, 2002

का.आ. 2752.—भारतीय जीवन बीमा निगम अधिनियम, 1956 (1956 का 21) की धारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, श्री एस.बी. माथुर, कार्यकारी निदेशक, भारतीय जीवन बीमा निगम को भारतीय जीवन बीमा निगम के सदस्य के रूप में एतद्द्वारा नियुक्त करती है और जिस दिन से वह कार्यभार ग्रहण करते हैं, से 31-10-2004 तक अर्थात् उनके 60 साल पूरे होने तक अथवा अगले आदेश होने तक, जो भी पहले हो, वेतनमान रुपये 26,000/- (नियत) में अध्यक्ष, भारतीय जीवन बीमा निगम में नियुक्त करती है।

[फा. सं. 14(2)/2002 बीमा-IV]

श्री. रंगनाथ, निदेशक

(Insurance Division)

New Delhi, the 14th August, 2002

S.O. 2752.—In exercise of the powers conferred by Section 4 of the Life Insurance Corporation Act, 1956 (31 of 1956) the Central Government hereby appoints Shri S. B. Mathur, Executive Director, Life Insurance Corporation of India as Member of the said Corporation and further appoints him as the Chairman, Life Insurance Corporation of India in the pay of Rs. 26,000 (fixed) with effect from the date

he assumes charge of the post upto 31-10-2004 i.e. till he attains the age of 60 years or till further order whichever is earlier.

[F. No. 14(2)/2002-Ins.-IV]

R. RENGANATH, Director

रेल मंत्रालय

(रेलवे बोर्ड)

नई दिल्ली, 9 अगस्त, 2002

का.आ. 2753.—राजभाषा नियम 1976 (संघ के शासकीय प्रयोजनों के लिए प्रयोग) के नियम 10 के उप-नियम (2) और (4) के अनुसरण में रेल मंत्रालय (रेलवे बोर्ड), उत्तर रेलवे के जोधपुर मंडल के अधीनस्थ 122 रेल कार्यालयों/स्टेशनों को, जहां 80% से अधिक अधिकाधिकारियों/कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है कि अधिकारित करता है—

उत्तर रेलवे (जोधपुर मंडल)

क्रमांक स्टेशन

1. जोधपुर स्टेशन
2. बामना स्टेशन
3. सालावाम स्टेशन
4. हनुवंत स्टेशन
5. लूनी स्टेशन
6. रोहट स्टेशन
7. केरला स्टेशन
8. पाली भारवाड़ स्टेशन
9. बोमादड़ा स्टेशन
10. राजकियावास स्टेशन
11. वनाड़ स्टेशन
12. जाजीवाल स्टेशन
13. असारनाडा स्टेशन
14. खेड़ीमलवा स्टेशन
15. पिपाड़ रोड स्टेशन
16. साथिन रोड स्टेशन

- | | |
|-----------------------------|---------------------------|
| 17. उम्मीद स्टेशन | 51. तिबरी स्टेशन |
| 18. खारिया खगाढ़ स्टेशन | 52. ओसियां स्टेशन |
| 19. गोटन स्टेशन | 53. समराऊ स्टेशन |
| 20. जौसी मगरा स्टेशन | 54. मारवाड़ लोहावट स्टेशन |
| 21. मारवाड़ छापरी स्टेशन | 55. शैतान सिंह नगर स्टेशन |
| 22. खजवाणा स्टेशन | 56. फलोदी स्टेशन |
| 23. मारवाड़ मुण्डवा स्टेशन | 57. मारवाड़ बिठरी स्टेशन |
| 24. नागौर स्टेशन | 58. मारवाड़ खारा स्टेशन |
| 25. बववासी स्टेशन | 59. रामदेवरा स्टेशन |
| 26. अलाय स्टेशन | 60. उडानिया चाथा स्टेशन |
| 27. चीलो स्टेशन | 61. भादरिया लाठी स्टेशन |
| 28. मुरपुरा स्टेशन | 62. जेठा चंदन स्टेशन |
| 29. देशनोक स्टेशन | 63. ठैयात हमीरा स्टेशन |
| 30. पलाना स्टेशन | 64. जैसलमेर स्टेशन |
| 31. उदरामुसर स्टेशन | 65. बामसीन स्टेशन |
| 32. दुदिया स्टेशन | 66. मौकलसर स्टेशन |
| 33. धुंधाड़ा स्टेशन | 67. विशनगढ़ स्टेशन |
| 34. अजीत स्टेशन | 68. जालोर स्टेशन |
| 35. समवड़ी स्टेशन | 69. मारवाड़ बागरा स्टेशन |
| 36. पारतु स्टेशन | 70. मोबरा स्टेशन |
| 37. जानियाता स्टेशन | 71. भीमपुरा स्टेशन |
| 38. बालौनरा स्टेशन | 72. मारवाड़ भीनमल स्टेशन |
| 39. गोले स्टेशन | 73. मारवाड़ कोड़ी स्टेशन |
| 40. भीमगलार्ड स्टेशन | 74. मालवाड़ स्टेशन |
| 41. बायतु स्टेशन | 75. रानीवाड़ा स्टेशन |
| 42. बणिया सांडा धोरा स्टेशन | 76. मारवाड़ रतनपुर स्टेशन |
| 43. कवाम स्टेशन | 77. धनेरा स्टेशन |
| 44. उतरलार्ड स्टेशन | 78. रामसेन स्टेशन |
| 45. बाड़मेर स्टेशन | 79. जैनाल स्टेशन |
| 46. जसाई स्टेशन | 80. आशापुरा गोमट स्टेशन |
| 47. गडरारोड़ स्टेशन | 81. पोखरण स्टेशन |
| 48. मुनाबाव स्टेशन | 82. नोखा स्टेशन |
| 49. मंडोर स्टेशन | 83. भगत की कोठी स्टेशन |
| 50. मथानिया स्टेशन | 84. राइ का बाग स्टेशन |

कार्यालय

85. सहायक मंडल इंजीनियर, जैसलमेर
86. सहायक मंडल इंजीनियर, मेड़तारोड
87. उप मुख्य यांत्रिक इंजीनियर/बिजली शैड, भगत की कांटा
88. सीनियर सेक्शन इंजीनियर, मेड़तारोड
89. सीनियर सेक्शन इंजीनियर, समदड़ा
90. सीनियर सेक्शन इंजीनियर, वाड़मेर
91. सीनियर सेक्शन इंजीनियर, जैसलमेर
92. सीनियर सेक्शन इंजीनियर, मुजपुर
93. सेक्शन इंजीनियर, डेगाना
94. सीनियर सेक्शन इंजीनियर, डीडवाना
95. सेक्शन इंजीनियर, मुजानगढ़
96. सेक्शन इंजीनियर, नागौर
97. सेक्शन इंजीनियर, पीपाड़ रोड
98. सेक्शन इंजीनियर, जालोर
99. सेक्शन इंजीनियर, धनेरा
100. सीनियर सेक्शन इंजीनियर, गडरा रोड
101. सीनियर सेक्शन इंजीनियर, बालोतरा
102. सेक्शन इंजीनियर, लूनी
103. सीनियर सेक्शन इंजीनियर, जोधपुर
104. सीनियर सेक्शन इंजीनियर/निर्माण, जोधपुर
105. सीनियर सेक्शन इंजीनियर/निर्माण/मवन, जोधपुर
106. सीनियर सेक्शन इंजीनियर/निर्माण, डेगाना
107. सीनियर सेक्शन इंजीनियर/निर्माण, पीकरण
108. सीनियर सेक्शन इंजीनियर/निर्माण, मेड़तारोड
109. सीनियर सेक्शन इंजीनियर/निर्माण, राई का बाग
110. मंडल खजाना कार्यालय/उत्तर रेलवे/जोधपुर
111. सीनियर सेक्शन इंजीनियर/पि. एवं दू.सं., जोधपुर
112. सीनियर सेक्शन इंजीनियर/पि. एवं दू.सं., मेड़तारोड
113. सीनियर सेक्शन इंजीनियर/पि. एवं दू.सं., समदड़ा
114. सीनियर सेक्शन इंजीनियर/बिजली, जोधपुर
115. सीनियर सेक्शन इंजीनियर/बिजली, मेड़तारोड
116. सीनियर सेक्शन इंजीनियर/बिजली, समदड़ा
117. सीनियर सेक्शन इंजीनियर/बिजली, वाड़मेर
118. सीनियर सेक्शन इंजीनियर/बिजली, जैसलमेर
119. सीनियर सेक्शन इंजीनियर/रेल इंजन, मेड़तारोड
120. सीनियर सेक्शन इंजीनियर/पुल, राई का बाग

[सं. हिन्दी 2001/रा.भा. 1/12/2]

राजीव रंजन जारुहार, सचिव, रेलवे बोर्ड

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 9th August, 2002

S.O. 2753.—In pursuance of sub Rule (2) and (4) of Rule 10 of the Official Language (use for the 2578 GI/2002—2.

official purposes of the Union) Rules, 1976, the Ministry of Railways (Railway Board) hereby notify the following Stations/Offices of Jodhpur Division of Northern Railway, where 80 per cent of the officers/employees have acquired the working knowledge of Hindi.

Northern Railway (Jodhpur Division)

S. No.	Station
1.	Jodhpur Station
2.	Basni Station
3.	Salawas Station
4.	Hanwant Station
5.	Luni Station
6.	Rohat Station
7.	Kerala Station
8.	Pali Marwar Station
9.	Bomadra Station
10.	Rajkiawas Station
11.	Banar Station
12.	Jajiwal Station
13.	Asarnada Station
14.	Kherisalwa Station
15.	Pipar Road Station
16.	Sathin Road Station.
17.	Umaid Station
18.	Kharia Khangar Station
19.	Gotan Station
20.	Jogimagra Station
21.	Marwar Chhapri Station
22.	Khajwana Station
23.	Marwar Mundwa Station
24.	Nagore Station
25.	Badwasi Station
26.	Alai Station
27.	Chilo Station
28.	Surpura Station
29.	Deshnake Station
30.	Palana Station
31.	Udramsar Station
32.	Dudia Station
33.	Dhundhara Station
34.	Ajit Station
35.	Samdari Station
36.	Parlu Station
37.	Janiyana Station
38.	Balotra Station
39.	Gole Station
40.	Bhimarlai Station
41.	Baytu Station
42.	Baniya Sanda Dhora Station
43.	Kavas Station
44.	Utarlia Station
45.	Barmer Station
46.	Jasai Station
47.	Gadra Road Station
48.	Munabao Station
49.	Mandor Station
50.	Mathania Station

51. Tivari Station
52. Osayan Station
53. Samrou Station
54. Marwar Lohawat Station
55. Shaitan Singh Nagar Station
56. Phalodi Station
57. Marwar Bithri Station
58. Marwar Khara Station
59. Ramdevra Station
60. Udanja Chacha Station
61. Bhadria Lathi Station
62. Jetha Chandan Station
63. Thaiyat Hamira Station
64. Jaisalmer Station
65. Bamsin Station
66. Mokalsar Station
67. Bishengarh Station
68. Jalore Station
69. Marwar Bagra Station
70. Modern Station
71. Bhimpura Station
72. Marwar Bhinmal Station
73. Marwar Kori Station
74. Malwar Station
75. Raniwara Station
76. Marwar Ratanpura Station
77. Dhanera Station
78. Ramsan Station
79. Jainal Station
80. Asapura Gomat Station
81. Pokharan Station
82. Nokha Station
83. Bhagat Ki Kothi Station
84. Rai ka Bag Station
- Offices
85. Asstt. Divl. Engineer/Jaisalmer
86. Asstt. Divl. Engineer, Merta Road
87. Dy. Chief Mech. Engineer/Diesel Shed, Bhagat Ki Kothi.
88. Section Engineer/P. Way/Metda Road
89. Sr. Section Engineer/Makarana
90. Section Engineer/Samadari
91. Sr. Section Engineer/Barmer
92. Sr. Section Engineer/Jaisalmer
93. Section Engineer, Surpura
94. Section Engineer/Degana
95. Sr. Section Engineer, Didwana
96. Section Engineer Sujangarh
97. Section Engineer/Nagore
98. Section Engineer/Piper Road
99. Section Engineer/Jalore
100. Section Engineer/Dhanera
101. Sr. Section Engineer/Gadra Road
102. Sr. Section Engineer/Balotra
103. Section Engineer/Luni
104. Sr. Section Engineer/Jodhpur
105. Sr. Section Engineer/Works/Jodhpur

106. Sr. Section Engineer/Works/P/Jodhpur
107. Sr. Section Engineer/Works/B/Jodhpur
108. Sr. Section Engineer/Works/Degana
109. Sr. Section Engineer/Works/Pokaran
110. Sr. Section Engineer/Works/Metda Road
111. Sr. Section Engineer/Works/Rai Ka Bag
112. Divl. Cash Office/Northern Railway/Jodhpur
113. Sr. Section Engineer/S&T/Jodhpur
114. Sr. Section Engineer/S&T/Metda Road
115. Sr. Section Engineer/S&T/Samadri
116. Sr. Section Engineer/Electrical/Jodhpur
117. Sr. Section Engineer/Electrical/Metda Road
118. Sr. Section Engineer/Electrical/Samadri
119. Sr. Section Engineer/Electrical/Barmer
120. Sr. Section Engineer/Electrical/Jaisalmer
121. Sr. Section Engineer/Electrical/Rail Engine/Metda Road
122. Sr. Section Engineer/Electrical/Bridge/Rai Ka Bag.

[No. Hindi-2001/OL-I/12/2]

R. R. JARUHAR, Secy., Railway Board

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 6 अगस्त, 2002

का.ग्रा. 2754.—इस विषय पर इस मंत्रालय की पूर्व अधिसूचना के क्रम में तथा चलचित्र (प्रमाणन) नियम, 1983 के नियम, 3 के साथ पठित चलचित्र अधिनियम, 1952 (1952 का 37) के खंड-3 के उपखंड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, श्री. रविन्द्र कुमार के के.फि.प्र. बोर्ड की सदस्यता से दिए गए त्यागपत्र को तत्काल प्रभाव से स्वीकार करती है।

[मिलित सं. 809/3/2001 एफ (सी)]

राजेश शर्मा, डेस्क अधिकारी

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 6th August, 2002

S.O. 2754.—In continuation of this Ministry's earlier notifications on the subject and in exercise of the powers conferred by sub-section (1) of Section 3 of the Cinematograph Act, 1952 (37 of 1952) read with rule 3 of the Cinematograph (Certification) Rules, 1983, the Central Government is pleased to accept, with immediate effect, the resignation of Shri Ravindra Kumar from the membership of the Central Board of Film Certification.

[File No. 809/3/2001-F(C)]

RAJESH SHARMA, Desk Officer

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 23 अगस्त, 2002

का. आ. 2755.— केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि गुजरात राज्य में मुन्द्रा पत्तनस्थित अपरिष्कृत तेल संस्थापन (सी.ओ.टी.) से पंजाब राज्य में भटिंडा तक मुन्द्रा-भटिंडा पाइपलाइन से होकर अपरिष्कृत तेल के परिवहन के लिए एक पाइपलाइन गुरु गोबिन्द सिंह रिफाइनरीज लिमिटेड (हिन्दुस्तान पेट्रोलियम कॉरपोरेशन लिमिटेड की समनुषंगी) द्वारा बिछाई जानी चाहिए ;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उक्त भूमि, जिसके भीतर उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, जो इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित है, में उपयोग के अधिकार का अर्जन किया जाए;

अतः अब केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उसमें उपयोग के अधिकार को अर्जित करने के अपने आशय की घोषणा करती है ;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है उस तारीख से, जिसको भारत के राजपत्र में यथाप्रकाशित उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन जारी अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, भूमि के भीतर पाइपलाइन बिछाने के संबंध में श्री डी० के० पारिख, सक्षम प्राधिकारी, मुन्द्रा-भटिंडा अपरिष्कृत तेल पाइपलाइन, गुरु गोबिन्द सिंह रिफाइनरीज लिमिटेड (हिन्दुस्तान पेट्रोलियम कॉरपोरेशन लिमिटेड की समनुषंगी), पो. बा. सं-43, यूनिट-2, हिन्दुस्तान पेट्रोलियम कॉरपोरेशन लिमिटेड, मु. पो. खारी रोहर, तालुका गाँधीधाम, गुजरात राज्य को लिखित रूप में आक्षेप भेज सकेगा ।

अनुसूची

तहसील :- अंजार

जिला :- कच्छ

राज्य :- गुजरात

गाँव का नाम	सर्वे मंख्या	भाग यदि है तो	क्षेत्रफल		
			हेक्टर	आ	मंटी आ
1	2	3	4	5	6
1. खेडोड़ मोटी	-	नाला	0	05	38
	द्राव्य 718	पेकी	02	56	50
	-	नाला	00	00	53
	द्राव्य 718	पेकी	01	35	96
	-	लंगछ नदी	00	15	35
	518		00	11	61
	-	कार्ट ट्रैक	00	06	53
	519	पेकी	00	03	08
	520		00	06	88

तहसील :- अंजार

जिला :- कच्छ

राज्य :- गुजरात

गाँव का नाम	मर्चे संख्या	भाग यदि है तो	क्षेत्रफल		
			हेक्टर	आर	सेन्टी आर
1	2	3	4	5	6
1. खेडोइ मोटी (जारी...)	द्रावर्स 718	पैकी	00	04	32
	-	नाला	00	02	90
	द्रावर्स 718	पैकी	00	29	13
	-	कार्ट ट्रैक	00	00	77
	द्रावर्स 718	पैकी	00	06	87
	493		00	05	28
	494		00	06	80
	500		00	09	81
	-	नाला	00	05	95
	502/1		00	11	09
	503/1		00	06	35
	-	नाला	00	09	85
	504/1		00	54	30
	504/2		00	05	25
	-	कार्ट ट्रैक	00	04	30
	468		00	06	35
	467		00	48	80
	466		00	26	87
	509		00	29	57
	510/1		00	48	94
	510/2		00	24	39
	द्रावर्स 718	पैकी	00	18	80
	द्रावर्स 718	पैकी	00	75	58
	295		00	43	85
	299/1		00	05	10
	द्रावर्स 718	पैकी	00	16	64
	297		00	04	10
	298		00	47	02
	321		00	32	20
	322		00	05	33
	320		00	05	10

तहसील :- अंजार

जिला :- कच्छ

राज्य :- गुजरात

गाँव का नाम	सर्वे संख्या	भाग यदी है तो	क्षेत्रफल		
			हेक्टर	आर	सेन्टी आर
1	2	3	4	5	6
1. खडेह मोटी (जारी -)	-	कार्ट ट्रैक	00	01	70
	318		00	46	23
	317		00	03	90
2 खंभरा	-	नाला	00	08	81
	द्रावर्स 258	पैकी	00	14	99
3.सीनुगा	156(पुर्ला155)	पैकी	00	46	85
	166(पुर्ला155)	पैकी	01	00	03
	द्रावर्स 155	पैकी	00	16	66
	134/1	पैकी	00	55	12
	133/2		00	08	76
	133/1		00	07	25
	157(पुर्ला155)	पैकी	03	41	35
	143/4		00	06	10
	143/5		00	40	50
	144		00	06	64
	145/3		00	06	50
	145/1		00	06	06
	145/2		00	25	62
	146/4		00	06	15
	147/4		00	06	10
	147/3		00	13	88
	147/2		00	26	86
	147/1		00	06	35
	148/2		00	19	60
	148/1		00	26	52
	-	नाला	00	00	20
	16	पैकी	00	49	48
	15		00	43	13
	-	कार्ट ट्रैक	00	23	45
	51		00	05	69

तहसील :- अंजार		जिला :- कच्छ	राज्य :- गुजरात		
गाँव का नाम	सर्वे संख्या	भाग यदि है तो	क्षेत्रफल		
			हेक्टर	आर	सेन्टी आर
1	2	3	4	5	6
3.सीनुगा (जारी...)	50/1		00	21	15
	50/2		00	18	00
	50/3		00	08	43
	50/4		00	21	30
	48		00	12	51
	49		00	28	13
4.मोटा नागलपर	128		00	05	06
	127		00	05	00
	126/1		00	42	79
	126/2		00	08	03
	125/1		00	10	60
	125/2		00	22	18
	द्रावर्ग 182	पैकी	00	17	70
	-	कार्ट ट्रैक	00	03	41
	-	मोंग नदी	00	04	50
	द्रावर्ग 182	पैकी	00	79	81
	-	कार्ट ट्रैक	00	04	06
	140/3		00	05	35
	161/2		00	40	44
	161/1		00	06	12
	162		00	34	28
	171/1		00	20	78
	171/2		00	23	51
	159/2		00	14	04
	159/1		00	05	92
	173/1		00	29	87
	173/2		00	06	34
	157/1	पैकी	00	14	06
	155		00	35	57
	176		00	17	47
	153		00	32	95
	152		00	13	42

तहसील :- अंजार

जिला :- कच्छ

राज्य :- गुजरात

गाँव का नाम	सर्वे संख्या	भाग यदि है तो	क्षेत्रफल		
			हेक्टर	आर	सेन्टी आर
1	2	3	4	5	6
4.मोटा नागलपर (जारी...)	ट्रावर्स 182	पैकी	00	07	58
	151		00	26	58
	ट्रावर्स 182	पैकी	00	22	56

[फा. सं. आर-31015/47/2002-ओ.आर-II]

हरीश कुमार, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 23rd August, 2002

S. O. 2755.— Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of crude oil from crude oil terminal (COT) at Mundra Port in the State of Gujarat to Bathinda in the State of Punjab through Mundra -Bathinda pipeline, a pipeline should be laid by Guru Gobind Singh Refineries Limited (a subsidiary of Hindustan Petroleum Corporation Limited);

And whereas it appears to the Central Government that for the purpose of the laying the said pipeline, it is necessary to acquire the right of user (ROU) in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the notification issued under sub-section (1) of section 3 of the said Act, as published in the Gazette of India, are made available to the general public, object in writing to the laying of the pipeline under the land to Shri D.K.PAREKH, Competent Authority, Mundra-Bathinda Crude Oil Pipeline, Guru Gobind Singh Refineries Limited (A subsidiary of Hindustan Petroleum Corporation Limited), P.B.No.43, Unit 2, HPCL, At & PO Khari Rohar, Tal. Gandhidham, State Gujarat.

SCHEDULE

Taluka :- Anjar

District :- Kutch

State :- Gujarat

Name of Village	Survey No	Part if Any	ROU Area		
			Ha.	Ar.	Sq.mt.
1	2	3	4		
1. Khedoi Moti	-	Nala	0	05	38
	Trowers 718	P	02	56	50
	-	Nala	00	00	53
	Trowers 718	P	01	35	96
	-	Lerakh River	00	15	35
	518		00	11	61
	-	Cart track	00	06	53
	519	P	00	03	08
	520		00	06	88
	Trowers 718	P	00	04	32
	-	Nala	00	02	90
	Trowers 718	P	00	29	13
	-	Cart track	00	00	77
	Trowers 718	P	00	06	87
	493		00	05	28
	494		00	06	80
	500		00	09	81
	-	Nala	00	05	95
	502/1		00	11	09
	503/1		00	06	35
	-	Nala	00	09	85
	504/1		00	54	30
	504/2		00	05	25
	-	Cart track	00	04	30
	468		00	06	35
	467		00	48	86

Taluka :- Anjar		District :- Kutch		State :- Gujarat		
Name of Village	Survey No	Part If Any	ROU Area			
			Ha.	Ar.	Sq.mt.	
1	2	3	4			
1. Khedoi Moti (Contd...)	466		00	26	87	
	509		00	29	57	
	510/1		00	48	94	
	510/2		00	24	39	
	Trowers 718	P	00	18	80	
	Trowers 718	P	00	75	58	
	295		00	43	85	
	299/1		00	05	10	
	Trowers 718	P	00	16	64	
	297		00	04	10	
	298		00	47	02	
	321		00	32	20	
	322		00	05	33	
	320		00	05	10	
	-	Cart track	00	01	70	
	318		00	46	23	
	317		00	03	90	
2 Khambhara	-	Nala	00	08	81	
	Trowers 258	P	00	14	99	
3.Sinugra	156(Old 155)	P	00	46	85	
	166(Old 155)	P	01	00	03	
	Trowers 155	P	00	16	66	
	134/1	P	00	55	12	
	133/2		00	08	76	

Taluka :- Anjar

District :- Kutch

State :- Gujarat

Name of Village	Survey No	Part if Any	ROU Area		
			Ha.	Ar.	Sq.mt.
1	2	3	4		
3.Sinugra (Contd...)	133/1	P	00	07	25
	157(Old 155)		03	41	35
	143/4		00	06	10
	143/5		00	40	50
	144		00	06	64
	145/3		00	06	50
	145/1		00	06	06
	145/2		00	25	62
	146/4		00	06	15
	147/4		00	06	10
	147/3		00	13	88
	147/2		00	26	86
	147/1		00	06	35
	148/2		00	19	60
	148/1		00	26	52
	-	P	00	00	20
	16		00	49	48
	15		00	43	13
	-		00	23	45
	51		00	05	69
	50/1		00	21	15
	50/2		00	18	00
	50/3		00	08	43
	50/4		00	21	30
	48		00	12	51
	49		00	28	13

Taluka :- Anjar

District :- Kutch

State :- Gujarat

Name of Village	Survey No	Part if Any	ROU Area		
			Ha.	Ar.	Sq.mt.
1	2	3	4		
4.Mota-Nagalpar	128		00	05	06
	127		00	05	00
	126/1		00	42	79
	126/2		00	08	03
	125/1		00	10	60
	125/2		00	22	18
	Trowers 182	P	00	17	70
	-	Cart Track	00	03	41
	-	Song River	00	04	50
	Trowers 182	P	00	79	81
	-	Cart Track	00	04	06
	140/3		00	05	35
	161/2		00	40	44
	161/1		00	06	12
	162		00	34	28
	171/1		00	20	78
	171/2		00	23	51
	159/2		00	14	04
	159/1		00	05	92
	173/1		00	29	87
	173/2		00	06	34
	157/1	P	00	14	06
	155		00	35	57
	176		00	17	47
	153		00	32	95
	152		00	13	42

Taluka :- Anjar		District :- Kutch		State :- Gujarat		
Name of Village	Survey No	Part if Any	ROU Area			
			Ha.	Ar.	Sq.mt.	
1	2	3	4			
4.Mota-Nagalpar (Contd...)	Trowsers 182	P	00	07	58	
	151		00	26	58	
	Trowsers 182	P	00	22	56	

[No. R-31015/47/2002-O.R.-II]
HARISH KUMAR, Under Secy.

नई दिल्ली, 23 अगस्त, 2002

का. आ. 2756.— केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि गुजरात राज्य में जामनगर से मध्यप्रदेश राज्य में भोपाल तक पुनः गैसीकृत प्राकृतिक गैस के परिवहन के लिए गैस ट्रांसपोर्टेशन एंड इन्फ्रास्ट्रक्चर कंपनी लिमिटेड द्वारा एक पाइपलाइन बिछाई जानी चाहिए ;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसके भीतर उक्त पाइपलाइन बिछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए ;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है ;

कोई व्यक्ति जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाई जाने के लिए उपयोग के अधिकार के अर्जन के लिए श्री एम. सी. रेजा, सक्षम प्राधिकारी, गैस ट्रांसपोर्टेशन एंड इन्फ्रास्ट्रक्चर कंपनी लिमिटेड, प्लॉट सं० 7, क्वालिटी बिजनेस सेन्टर, एम. पी. नगर, जोन-2, भोपाल को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची				
तहसील: आष्टा	जिला: सीहोर		राज्य: मध्य प्रदेश	
गाँव का नाम	सर्वे नंबर	हेक्टर	क्षेत्रफल आरे	सि-आरे
1	2	3	4	5
1. छापरी	179/20	0	02	00
प.ह.नं.37				
2. निपानियाकलौ	1013,1014	}	09	80
प.ह.नं.38	1172/1013			
	1031	0	02	00
	1037,1038	0	28	60
	1076	0	20	00
	600,601,599,	}	12	00
	1111/1			
	600,601,599,	}	30	00
	1111/2			
	600,601,599,	}	11	00
	1111/1/2			
	503,504,505,	}	30	80
	506/2/1			
	503,504,505,	}	04	00
	506/1			
	503,504,505,	}	14	00
	506/2/2			
	477/2	}	08	50
	486/1			
3. चोपडिया	110	0	03	80
प.ह.नं.37	3/2/1	0	29	00
	3/2/2	0	16	00
	3/2/3	0	02	00
	3/1	0	50	00
	3/15	0	24	00
	3/16	0	37	00
	3/13	0	01	00
	3/17	0	53	10
	3/18	0	28	00
4. शेखूखेडा	10-603/11	0	07	20
प.ह.नं.12	131	0	00	10
	67	0	00	20

1	2	3	4	5
5. टिगरिया	681/1/1	0	08	00
प.ह.नं. 6	681/1/2	0	03	00
	681/1/3	0	00	90
	681/1/4/1	0	07	00
6. घनाना	32/4/1क	0	93	80
प.ह.नं. 31	63/2घ	0	03	00
	111	0	02	40
7. कल्याणपुरा	646,647,648,	}	49	60
प.ह.नं. 5	649,650,651			
	654,655,	}	14	80
	656/2			
	662/2,682/	}	35	30
	663/5,683/			
	663/1,664/3क	}	00	80
	662/2,682/			
	663/5,683/	}	03	50
	663/1,664/3ख			
	662/2,682/	}	23	00
	663/5,683/			
	663/1,664/3ग	}	0	0
	662/2,682/			
	663/5,683/	}	0	0
	663/1,664/3ङ			
8. खजूरिया जावर	535-536,	}	15	70
प.ह.नं. 6	537-562			
	583/3/2/2	0	02	00
9. हिरनिया गांव	243	0	09	00
प.ह.नं. 5	336/2/1	0	16	00
	336/1/3/1क	0	48	90
	336/1/3/1ख	0	01	00
10. लसूड़िया सूखा	205/1/1	0	01	60
प.ह.नं. 37	94/3	0	06	50
	128	0	02	00
	179	0	01	50
11. भाटीखेड़ा	84,83,201/	}	09	10
प.ह.नं. 9	90/2			
	91,92/2	0	06	80
	145	0	05	20

1	2	3	4	5
12. सेमलीवारी	316/23/1	0	02	00
प.ह.नं. 9	316/23/2	0	08	40
	110	0	07	00
	312/93	0	02	00
13. चाचाखेड़ी	47,48,50,52/4	0	18	80
प.ह.नं. 37	47,48,50,52/5	0	13	00
	47,48,50,52/6	0	01	00
	55/2	0	11	70
	80/1	0	02	00
14. हकीमाबाद	416-417	0	18	00
प.ह.नं. 31	439-440/2	0	01	70
	397-783	0	40	90
	841-842	0	03	80
	963-964	0	35	40
	1046-1047	0	05	10
	810-817/1	0	01	80
	436-437-438	0	05	90
	474-475-476	0	06	40
	511-669/2	0	03	90
	774,1305/774	0	05	60
	834,835	0	00	01
	863-864-865	0	01	60
	1051-1052	0	00	20
	1035,1302/1035	0	01	30
	99/1ख	0	15	00
	777-781, } 782/1	0	12	30
	777-781, } 782/2	0	05	50
	775-776	0	01	00
	778-779 } 780/1	0	01	00
	778-779 } 780/2	0	01	90
	843	0	01	00
	961-965 } 1303/960	0	06	70
	1009/1	0	06	00
	1009/2	0	15	00

1	2	3	4	5
15. कुंडियाघांगा	256-257	0	27	30
प.ह.नं. 9	423-510/424	0	27	30
	298	0	09	00
	248/1	0	11	00
	248/2	0	05	00
	328/2/2/3	0	01	00
	529-333/1	0	13	00
	541/412/2	0	03	00
16. झुका	36-37/1/1	0	28	00
प.ह.नं. 30	32	0	02	00
	13/1	0	24	80
	16,17/2	0	01	30
	45-47	0	17	30
	42-43	0	28	80
	38/2क/1	0	00	40
	36-37/1/4	0	27	50
	60-66/3	0	08	00
	60-66/2	0	26	00
	60-66/1	0	00	30
	36/2	0	28	00
17. जावर	1329-1331	0	05	10
प.ह.नं. 8	1365-1366/2	0	03	40
	1333-1334/4	0	02	70
	1405,1407/2	0	13	00
	1405,1407/3	0	21	70
	1368/1	0	14	30
	1343/3	0	02	00
	1369/2ख	0	00	50
	1400/1	0	00	80
18. अरनियागाजी	463-464, }	0	42	10
प.ह.नं. 6	465/1,835/2	0		
	505-506	0	19	10
	845,846,847	0	26	00
	468-469 }	0	04	00
	470/1	0		
	513-514	0	01	00
	605	0	04	00
	466	0	01	50

SCHEDULE				
Tehsil: Aastha		District: Sehore		State: Madhya Pradesh
Name of the Village	Survey No	Hectare	AREA	
1	2	3	4	5
1. CHHAPRI	179/20	0	02	00
P.C.NO – 37				
2. NIPANIYA KALA	1013,1014	}	09	80
P.C.NO – 38	1172/1013			
	1031	0	02	00
	1037,1038	0	28	60
	1076	0	20	00
	600,601,599,	}	12	00
	1111/1			
	600,601,599,	}	30	00
	1111/2			
	600,601,599,	}	11	00
	1111/1/2			
	503,504,505,	}	30	80
	506/2/1			
	503,504,505,	}	04	00
	506/1			
	503,504,505,	}	14	00
	506/2/2			
	477/2	}	08	50
	486/1			
3. CHUPADIYA	110	0	03	80
P.C.NO – 37	3/2/1	0	29	00
	3/2/2	0	16	00
	3/2/3	0	02	00
	3/1	0	50	00
	3/15	0	24	00
	3/16	0	37	00
	3/13	0	01	00
	3/17	0	53	10
	3/18	0	28	00
4. SHEKU KHEDI	10-603/11	0	07	20
P.C.NO – 12	131	0	00	10
	67	0	00	20

1	2	3	4	5
5. TIGARIA	681/1/1	0	08	00
P.C.NO – 6	681/1/2	0	03	00
	681/1/3	0	00	90
	681/1/4/1	0	07	00
6. DHANANA	32/4/1K	0	93	80
P.C.NO – 31	63/2Gh	0	03	00
	111	0	02	40
7. KALYANPURA	646,647,648,	}	49	60
P.C.NO – 5	649,650,651			
	654,655,	}	14	80
	656/2			
	662/2,682/	}	35	30
	663/5,683/			
	663/1,664/3K	}	0	80
	662/2,682/			
	663/5,683/	}	00	80
	663/1,664/3Kh			
	662/2,682/	}	0	50
	663/5,683/			
	663/1,664/3G	}	03	50
	662/2,682/			
	663/5,683/	}	23	00
	663/1,664/3D			
8. KHAJURIA JAWAR	535-536,	}	15	70
P.C.NO – 6	537-562			
	583/3/2/2	0	02	00
9. HARNIA GAON	243	0	09	00
P.C.NO – 5	336/2/1	0	16	00
	336/1/3/1K	0	48	90
	336/1/3/1Kh	0	01	00
10. LASUDIA SUKHA	205/1/1	0	01	60
P.C.NO – 37	94/3	0	06	50
	128	0	02	00
	179	0	01	50
11. BHATI KHEDA	84,83,201/	}	09	10
P.C.NO – 9	90/2			
	91,92/2	0	06	80
	145	0	05	20

1	2	3	4	5
12. SEMLI BARI	316/23/1	0	02	00
P.C.NO – 9	316/23/2	0	08	40
	110	0	07	00
	312/93	0	02	00
13. CHACHA KHEDI	47,48,50,52/4	0	18	80
P.C.NO – 37	47,48,50,52/5	0	13	00
	47,48,50,52/6	0	01	00
	55/2	0	11	70
	80/1	0	02	00
14. HAKIMABAD	416-417	0	18	00
P.C.NO – 31	439-440/2	0	01	70
	397-783	0	40	90
	841-842	0	03	80
	963-964	0	35	40
	1046-1047	0	05	10
	810-817/1	0	01	80
	436-437-438	0	05	90
	474-475-476	0	06	40
	511-669/2	0	03	90
	774,1305/774	0	05	60
	834,835	0	00	01
	863-864-865	0	01	60
	1051-1052	0	00	20
	1035,1302/1035	0	01	30
	99/1Kh	0	15	00
	777-781, } 782/1	0	12	30
	777-781, } 782/2	0	05	50
	775-776	0	01	00
	778-779 } 780/1	0	01	00
	778-779 } 780/2	0	01	90
	843	0	01	00
	961-965 } 1303/960	0	06	70
	1009/1	0	06	00
	1009/2	0	15	00

1	2	3	4	5
15. KUDIA DHANGA	256-257	0	27	30
P.C.NO – 9	423-510/424	0	27	30
	298	0	09	00
	248/1	0	11	00
	248/2	0	05	00
	328/2/2/3	0	01	00
	529-333/1	0	13	00
	541/412/2	0	03	00
16. DUKA	36-37/1/1	0	28	00
P.C.NO – 30	32	0	02	00
	13/1	0	24	80
	16,17/2	0	01	30
	45-47	0	17	30
	42-43	0	28	80
	38/2K/1	0	00	40
	36-37/1/4	0	27	50
	60-66/3	0	08	00
	60-66/2	0	26	00
	60-66/1	0	00	30
	36/2	0	28	00
17. JAHWAR	1329-1331	0	05	10
P.C.NO – 8	1365-1366/2	0	03	40
	1333-1334/4	0	02	70
	1405,1407/2	0	13	00
	1405,1407/3	0	21	70
	1368/1	0	14	30
	1343/3	0	02	00
	1369/2Kh	0	00	50
	1400/1	0	00	80
18. HARNIA GAZI	463-464,	}	42	10
P.C.NO – 6	465/1,835/2			
	505-506	0	19	10
	845,846,847	0	26	00
	468-469	}	04	00
	470/1			
	513-514	0	01	00
	605	0	04	00
	466	0	01	50
19. DARKHEDA	49/2,50/1,	}	04	20
P.C.NO – 6	51/1/3			
	9	0	07	00
20. KHADI	398/2,403,	}	54	40
P.C.NO – 30	402,397/2,			
	397/1/2K	0		

1	2	3	4	5
	403,402,			
	397/2,397/1,	0	02	00
	398/1/3			
	30,31,32,	0	36	60
	1281/32			
	394,405,406	0	03	00
	1259/419	0	16	00
	452	0	02	00
	407	0	17	00
	1247/298	0	07	10
	1261/298			
	299/1/1/4	0	54	00

The above Survey numbers have not been notified earlier - S.O. 79 - dated 09.01.2002.

[No. L. 14014/30/2001-G.P.]
SWAMI SINGH, Director

नई दिल्ली, 23 अगस्त, 2002

का. आ. 2757.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1982 (1982 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 368 तारीख 31 जनवरी, 2002 द्वारा अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गैस ट्रांसपोर्टेशन एण्ड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड द्वारा गुजरात राज्य में जामनगर से मध्यप्रदेश राज्य में भोपाल तक जामनगर-भोपाल पाइपलाइन परियोजना के माध्यम से पुनः गैसीकृत, द्रवित, प्राकृतिक गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के लिए अपने आशय की घोषणा की थी ;

और, उक्त अधिसूचना की प्रतियां जनता को तारीख 4 मार्च, 2002 को उपलब्ध करा दी गई थीं ;

और, उक्त पाइपलाइन बिछाने के सम्बन्ध में जनता से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और उन्हें अनुज्ञप्त कर दिया है ;

और, सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और, केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात और यह समाधान हो जाने पर कि उक्त भूमि उसमें उपयोग के अधिकार अर्जित करने का विनिश्चय किया है ;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग का अधिकार अर्जित किया जाता है ;

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि पाइपलाइन बिछाने के लिए भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लंगमों से मुक्त गैस ट्रांसपोर्टेशन एण्ड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड में निहित होगा।

अनुसूचि

तालुका : जामनगर

ज़िला : जामनगर

राज्य : गुजरात

गांव का नाम	सर्वेक्षण संख्या / खंड संख्या	क्षेत्रफल		
		हेक्टर	एअर	सेन्टीएअर
1	2	3	4	5
1. नानीखावडी	82/रे	0	14	20
	89/रे	0	30	00
	82/रे	0	75	00
	83	0	23	80
	78/रे	1	45	30
	79/रे	0	04	50
	77/रे	0	39	20
	64	0	93	00
कुल		4	25	00
2. सापर	46	0	48	90
	45	0	27	50
	47	0	14	80
	54/रे	0	14	60
	58/2/रे	0	73	50
	58/3/रे	0	01	70
	59/रे	0	78	40
	60/रे	0	50	90
कुल		3	10	30
3. बेड	204	0	20	60
	203/1	0	35	60
	203/2/रे	0	16	60
	203/2/रे	0	19	10
	202/रे	0	26	20
	202/रे	0	01	80
	202/रे	0	29	50
	200/रे	0	26	20
	200/रे	0	09	40
	202/रे	0	35	90
	241	0	28	50
	230/रे	0	58	80
	235	0	05	70
	233/रे	0	46	90
	297	0	21	60
	298	0	26	40
	300	0	25	40
	301	0	19	40
	302/1	0	31	70
	302/2/रे	0	31	30
कुल		5	16	60
4. आमरा	497/1	0	22	50
	541	0	20	50

1	2	3	4	5
अभिलेख (बिरोलर)	497/2/र	0	43	20
	540/र	0	07	40
	498/र	0	37	10
	498/र	0	37	00
	483	0	31	50
	482/र	0	12	80
	482/र	0	12	80
	479	0	37	10
	477/1	0	35	70
	467/र	0	48	20
	466	0	11	80
	464/र	0	26	30
	464/र	0	26	30
	465/र	0	24	10
	433/र	0	48	30
	442	0	12	30
	434/र	0	18	50
	441	0	01	30
	440	0	07	70
	435	0	23	80
	439	0	00	60
	436	0	30	20
	326	0	36	50
	335	0	09	10
	334/र	0	40	30
	334/र	0	01	90
	338	0	03	20
	343/र	0	12	30
	343/र	0	12	30
	346	0	00	90
	340/र	0	01	60
	342/र	0	11	00
	342/र	0	11	00
	347	0	11	50
	303/र	0	11	40
	303/र	0	11	50
	303/र	0	11	50
	305/2	0	10	70
	305/1	0	11	00
	300	0	24	30
	306/र	0	00	60
	299/र	0	15	30
	299/र	0	15	20
	261/र	0	18	30
	261/र	0	36	50
	261/र	0	18	30
	263/र	0	42	70
	263/र	0	42	70
	266/र	0	27	70
	266/र	0	23	70
	258/र	0	27	90

1	2	3	4	5
अवकाश (विराट)	258/रे	0	14	00
	255/रे	0	22	40
	255/रे	0	22	40
	254	0	39	50
	253/रे	0	12	00
	253/रे	0	12	10
	253/रे	0	24	00
	252/रे	0	37	30
	252/रे	0	37	30
	269/रे	0	00	40
	269/रे	0	00	40
	269/रे	0	02	00
	271/रे	0	15	90
	271/रे	0	15	90
	248/रे	0	58	10
	248/रे	0	29	10
	272	0	10	80
	247/रे	0	17	30
	247/रे	0	17	30
	242/रे	0	49	40
	242/रे	0	49	40
	244	0	22	80
	243	0	26	30
	221	0	17	00
	238	0	18	50
	222/रे	0	28	30
	222/रे	0	18	90
	222/रे	0	09	50
	222/रे	0	28	30
	216/रे	0	26	70
	215/रे	0	26	60
	224/रे	0	17	10
कुल		18	04	90
5. लाप्साबायल	39/रे	0	49	70
	40/रे	0	13	40
	40/रे	0	13	40
	40/रे	0	24	70
	41/रे	0	24	70
	44	0	34	30
	45/रे	0	88	30
	47	0	02	30
	33/रे	1	17	50
	7/रे	0	30	60
	9	0	49	80
	5	0	10	00
	4/रे	0	3	30
	4/रे	0	16	80
	335	0	00	70
कुल		4	79	50
6. बांधवराजा	7	0	00	20

1	2	3	4	5
बांग्याबेरगज (निरंतर)	286/रे	0	10	80
	285/रे	0	47	20
	284	0	53	60
कुल		1	11	80
7. मसितीया	23	0	02	50
	27	0	45	30
	28/1/रे	0	22	40
	28/2/रे	0	22	40
	29	0	37	10
	30/रे	0	42	30
	143	0	41	90
	142	0	21	60
	150	0	01	00
	151	0	49	40
	233	0	28	40
	234	0	03	50
	232	0	20	80
	223	0	10	30
	224/1/रे	0	38	90
	225/रे	0	36	60
	261/2/रे	0	32	70
	202/1	0	09	90
	262/3	0	81	70
	201/रे	0	33	00
	200/रे	0	15	50
	200/रे	0	13	30
	192/रे	0	24	40
	199	0	03	50
	197/रे	0	22	20
	196	0	34	50
कुल		6	95	10
8. जेला	592	0	37	30
	593	0	09	20
	591	0	88	00
	603	0	12	30
	588/5/रे	0	60	90
	605	0	53	50
	606/रे	0	40	00
	588/रे	0	61	00
	642	0	52	30
	647	0	30	60
	648/रे	0	58	90
	32	0	25	60
	31	0	21	60
	27	0	00	60
	28	0	00	20
	29	0	56	80
	30	0	18	50
	150/रे	0	51	60
	149/रे	0	51	90
	164/रे	0	82	00

1	2	3	4	5
बेला (मिस्टर)	167/रे	0	12	00
	161/रे	1	08	40
कुल		9	33	20
9. बरेड	50	0	29	80
	51	0	42	10
कुल		0	71	90
10. जामनगर सीटी	895/रे	0	47	20
	895/रे	0	62	60
	895/रे	0	24	80
	887/रे	0	12	80
	878	0	69	60
	873/रे	0	33	10
कुल		2	50	10
11. बडीया	149/रे	0	70	00
	152/रे	0	10	40
	151/1/रे	0	46	00
	151/2	0	95	40
	155/2/रे	0	41	90
	155/2/रे	0	10	00
कुल		2	73	70
12. सिमलीया	212	0	73	10
	211/रे	0	71	10
	210	0	35	70
	209/रे	0	20	40
	209/रे	0	20	40
	207	0	47	40
	206/रे	0	88	00
	202	0	16	60
	197/रे	0	07	00
	93	0	59	20
कुल		4	38	90
13. सयडा	93/रे	0	49	20
	92/रे	0	09	20
	92/2	0	24	10
	92/1	0	85	30
	91/रे	0	01	30
	101/रे	0	47	50
	102/रे	0	51	40
	102/रे	0	51	40
	90/2-2	0	25	70
	90/4-4	0	25	70
	89/3रे	0	18	10
	89/3रे	0	14	40
	89/3रे	0	13	20
	87/रे	0	26	20
	87/रे	0	26	10
कुल		4	68	80
14. मोडा	521	0	08	50
	431/रे	0	36	50

1	2	3	4	5
मोडा (निरंतर)	430/रे	0	17	10
	430/रे	0	17	10
	426/रे	0	23	50
	426/रे	0	23	50
	425/2	0	00	10
	427	0	49	00
	425/1	0	08	80
	428/रे	0	23	80
	290	0	80	00
	289	0	51	70
	288	0	15	80
	287/1/रे	0	39	30
	286	0	46	40
	285/रे	0	29	00
	276	0	30	50
	277/रे	0	32	70
	278	0	09	40
	269	0	00	10
	268/रे	0	46	20
	265	0	36	70
	264/2/रे	0	73	20
	243	0	09	00
	258	0	00	40
	257/रे	0	22	00
	257/रे	0	21	70
	244	0	41	20
	245/रे	0	56	50
	247/2	0	38	20
	247/3	0	38	20
	247/4	0	38	20
	176/1	0	07	40
	175/रे	0	33	90
	175/रे	0	33	90
	175/रे	0	33	90
	172	0	19	80
	170	0	46	40
	171	0	34	70
	159/रे	0	19	40
	159/रे	0	19	40
	160	0	42	00
कुल		12	55	10
15. जंजाजसा	20	0	67	60
	24/रे	0	84	90
	60/रे	0	25	70
	56	0	46	20
	57	0	37	10
	58	0	40	40
कुल		3	01	90
16. बेराणा (पसाथा)	30/1/रे	0	12	50
	30/2/रे	0	16	00
	30/3/रे	0	16	00

1	2	3	4	5
बेराजा (पसाया) (निरंतर)	29/1/रे	0	35	00
	29/2/रे	0	54	10
	23/1/रे	0	38	60
	23/2/रे	0	09	70
	22	0	13	30
	21/1/रे	0	00	20
	21/2/रे	0	22	70
	14/1/रे	0	29	00
	19	0	07	20
	20/रे	0	10	40
	18/1/रे	0	09	60
	18/2/रे	0	65	50
	18/3/रे	0	00	20
कुल		3	40	00
17. जगा	179/1/रे	0	11	60
	175	0	07	00
	176	0	35	50
	174/1	0	49	70
	174/2	0	32	40
	169/1	0	21	00
	169/2	0	21	00
	166/रे	0	21	20
	166/रे	0	21	00
	166/रे	0	21	10
	165/3	0	00	20
	163/1	0	32	30
	163/2	0	32	30
	164	0	57	90
कुल		3	64	20
18. बावडा	44/2-1	0	35	20
	44/2-2	0	35	20
	41/1	0	29	40
	42	0	37	40
कुल		1	37	20
19. जामवणधाली	75/1/रे	0	53	80
	76/1/रे	0	11	40
	76/1/रे	0	38	70
	79/रे	0	43	40
	79/रे	0	41	30
	80	0	04	90
	111/रे	0	00	60
	110/रे	0	09	20
	110/रे	0	09	20
	110/रे	0	12	70
	110/रे	0	42	10
	110/रे	0	09	20

1	2	3	4	5
जलसंधारण (मिरपुर)	109/1	0	72	30
	109/2/रे	0	51	40
	109/2/रे	0	02	40
	116/1/रे	0	38	10
	135/रे	0	59	40
	138/3/रे	0	13	10
कुल		5	13	20
20. बिरपुर	141/रे	1	07	70
	140/1/रे	0	51	20
	132/4/रे	0	44	70
	132/6/रे	0	22	40
	132/7/रे	0	22	40
	132/8/रे	0	22	40
	132/9/रे	0	22	40
	126/रे	0	07	20
	126/रे	0	06	10
	125/2/रे	0	23	20
	125/3/रे	0	23	20
	125/4/रे	0	92	50
	89/1/रे 1	0	52	50
	89/1/रे 2	0	26	30
	90/1/रे	0	12	40
	90/2/रे	0	24	70
	91/1/रे	0	30	30
	91/3/रे	0	14	90
	91/4/रे	0	25	60
	91/5/रे	0	25	60
	92/रे 2	0	65	10
	80/2/रे	0	60	00
	79	0	36	50
	78/1/1/रे 3	0	60	60
	76/रे 3	0	49	60
	61/1/रे 1	0	28	30
	61/1/रे 2	0	17	40
	62/2/रे 1	0	08	50
	62/2/रे 2	0	38	80
	62/2/रे 3	0	42	50
	64/1/ रे	0	24	10
	64/2/ रे	0	02	50
	64/3/ रे	0	20	10
	64/4/ रे	0	15	10
	64/5/ रे	0	15	10
	64/6/ रे	0	13	10
	65/1/रे 1	0	18	40
	65/1/रे 3	0	18	20
	66/1/रे 1	0	82	90
कुल		12	74	50

1	2	3	4	5
21. लम्बाबज	190/र	0	46	90
कुल		0	46	90
22. मोल्वाळा	1/र	0	22	20
	3/र	0	24	40
	4/र	0	23	90
	12	0	29	30
	11/1	0	14	70
	8/र	0	10	80
	8/र	0	53	90
	120/1-2	0	59	50
	27/र	0	53	10
	27/र	0	53	10
	28	0	41	90
	120/1-4/र	0	76	10
कुल		4	62	90
23. मोलथावरीया	382/र	0	21	20
	382/र	0	17	90
	383/र	0	51	80
कुल		0	90	90
24. विजलसी	176/र2	0	23	60
	178	0	14	00
	179	0	42	10
	176/र3	0	09	40
	181/र	0	40	40
	181/र	0	23	80
	181/र	0	19	30
	184	0	50	10
	237/र	0	49	90
	186/र	0	64	10
	187/र	0	47	40
	199/3/र	0	17	90
	199/2/र	0	33	50
	199/1/र	0	32	70
	14	0	02	20
	7/2	0	20	90
	7/1	0	02	20
	7/3	0	07	60
	8	0	10	30
	9/1	0	25	80
	10	0	05	80
	88	0	86	60
	208	0	97	10
	209/र	0	06	90
	209/र	0	54	70

1	2	3	4	5
बि. लाई रनॉ	209/रे	0	40	40
(नि. र. नं.)	209/रे	0	54	70
	84	0	08	80
	86	0	14	20
	81/रे	0	27	30
	81/रे	0	47	60
	77/रे	0	46	50
	77/रे	0	47	60
	77/रे	0	40	30
	75/रे1	0	13	10
कुल		11	28	80
25. सुवरडा	3	0	42	40
	5/2/रे	0	41	00
	118/1	0	81	80
	119/1	0	52	50
	1	0	32	90
	123/2	0	16	10
	123/1-2/रे	0	32	10
	123/1-2/रे	0	32	10
	123/1-3/रे	0	02	10
	122/2-1/रे	0	09	60
	137/रे	0	24	60
	137/रे	0	24	60
	150/1	0	17	90
	149/1	0	31	50
	159/1/रे	0	61	00
	163/4	0	47	20
	167	0	16	50
	180/2/रे	0	38	90
	180/3/रे	0	20	90
	176/रे	0	02	10
	176/रे	0	37	80
	184/रे	0	06	70
	185/रे	0	42	00
	185/रे	0	28	00
	186	0	43	10
कुल		7	85	40

[फा. सं. एल/14014/5/02-जी.पो.]

स्वामी सिंह, निदेशक

New Delhi, the 23rd August, 2002

S. O. 2757.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O.368, dated the 31st January, 2002, issued under sub-section (1) of section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of regassified liquefied natural gas through the Jamnagar-Bhopal Pipeline Project from Jamnagar in the State of Gujarat to Bhopal in the State of Madhya Pradesh by Gas Transportation and Infrastructure Company Limited;

And whereas copies of the said Gazette notification were made available to the public on the 4th March, 2002;

And whereas the objections received from the public to the laying of the pipeline have been considered and disallowed by the competent authority;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;.

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the land for laying the pipeline shall, instead of vesting in the Central Government, vest, on the date of publication of the declaration, in Gas Transportation and Infrastructure Company Limited, free from all encumbrances.

SCHEDULE

Taluka : JAMNAGAR

District : JAMNAGAR

State : GUJARAT

Name of the Village	Survey No.	AREA		
		Hectare	Are	Sq.Mtr.
1	2	3	4	5
1. NANIKHAVDI	82/P	0	14	20
	89/P	0	30	00
	82/P	0	75	00
	83	0	23	80
	78/P	1	45	30
	79/P	0	04	50
	77/P	0	39	20
	64	0	93	00
	TOTAL	4	25	00
2. SAPAR	46	0	48	90
	45	0	27	50
	47	0	14	80
	54/P	0	14	60
	58/2/P	0	73	50
	58/3/P	0	01	70
	59/P	0	78	40
	60/P	0	50	90
	TOTAL	3	10	30
3. BED	204	0	20	60
	203/1	0	35	60
	203/2/P	0	16	60
	203/2/P	0	19	10
	202/P	0	26	20
	202/P	0	01	80
	202/P	0	29	50
	200/P	0	26	20
	200/P	0	09	40
	202/P	0	35	90
	241	0	28	50
	230/P	0	58	80
	235	0	05	70
	233/P	0	46	90
	297	0	21	60
	298	0	26	40
	300	0	25	40
	301	0	19	40
	302/1	0	31	70
	302/2/P	0	31	30
	TOTAL	5	16	60
4. AMRA	497/1	0	22	50
	541	0	20	50
	497/2/P	0	43	20
	540/P	0	07	40
	498/P	0	37	10
	498/P	0	37	00
	483	0	31	50
	482/P	0	12	80
	482/P	0	12	80
	479	0	37	10

1	2	3	4	5
AMRA (Cont'd)	477/1	0	35	70
	467/P	0	48	20
	466	0	11	80
	464/P	0	26	30
	464/P	0	26	30
	465/P	0	24	10
	433/P	0	48	30
	442	0	12	30
	434/P	0	18	50
	441	0	01	30
	440	0	07	70
	435	0	23	80
	439	0	00	60
	436	0	30	20
	326	0	36	50
	335	0	09	10
	334/P	0	40	30
	334/P	0	01	90
	338	0	03	20
	343/P	0	12	30
	343/P	0	12	30
	346	0	00	90
	340/P	0	01	60
	342/P	0	11	00
	342/P	0	11	00
	347	0	11	50
	303/P	0	11	40
	303/P	0	11	50
	303/P	0	11	50
	305/2	0	10	70
	305/1	0	11	00
	300	0	24	30
	306/P	0	00	60
	299/P	0	15	30
	299/P	0	15	20
	261/P	0	18	30
	261/P	0	36	50
	261/P	0	18	30
	263/P	0	42	70
	263/P	0	42	70
	266/P	0	27	70
	266/P	0	23	70
	258/P	0	27	90
	258/P	0	14	00
	255/P	0	22	40
	255/P	0	22	40
	254	0	39	50
	253/P	0	12	00
	253/P	0	12	10
	253/P	0	24	00
	252/P	0	37	30
	252/P	0	37	30
	269/P	0	00	40
	269/P	0	00	40
	269/P	0	02	00

1	2	3	4	5
AMRA (Cont'd)	271/P	0	15	90
	271/P	0	15	90
	248/P	0	58	10
	248/P	0	29	10
	272	0	10	80
	247/P	0	17	30
	247/P	0	17	30
	242/P	0	49	40
	242/P	0	49	40
	244	0	22	80
	243	0	26	30
	221	0	17	00
	238	0	18	50
	222/P	0	28	30
	222/P	0	18	90
	222/P	0	09	50
	222/P	0	28	30
	216/P	0	26	70
	215/P	0	26	60
	224/P	0	17	10
TOTAL		18	04	90
5. LAKHABAVAL	39/P	0	49	70
	40/P	0	13	40
	40/P	0	13	40
	41/P	0	24	70
	41/P	0	24	70
	44	0	34	30
	45/P	0	88	30
	47	0	02	30
	33/P	1	17	50
	7/P	0	30	60
	9	0	49	80
	5	0	10	00
	4/P	0	3	30
	4/P	0	16	80
	335	0	00	70
TOTAL		4	79	50
6. CHAMPABERAJA	7	0	00	20
	286/P	0	10	80
	285/P	0	47	20
	284	0	53	60
TOTAL		1	11	80
7. MASITIYA	23	0	02	50
	27	0	45	30
	28/1/P	0	22	40
	28/2/P	0	22	40
	29	0	37	10
	30/P	0	42	30
	143	0	41	90
	142	0	21	60
	150	0	01	00
	151	0	49	40
	233	0	28	40
	234	0	03	50
	232	0	20	80

1	2	3	4	5
MASITIYA (Cont'd)	223	0	10	30
	224/1/P	0	38	90
	225/P	0	36	60
	261/2/P	0	32	70
	202/1	0	09	90
	262/3	0	81	70
	201/P	0	33	00
	200/P	0	15	50
	200/P	0	13	30
	192/P	0	24	40
	199	0	03	50
	197/P	0	22	20
	196	0	34	50
TOTAL		8	95	10
8. CHELA	592	0	37	30
	593	0	09	20
	591	0	88	00
	603	0	12	30
	588/5/P	0	60	90
	605	0	53	50
	606/P	0	40	00
	588/P	0	61	00
	642	0	52	30
	647	0	30	60
	648/P	0	58	90
	32	0	25	60
	31	0	21	60
	27	0	00	60
	28	0	00	20
	29	0	56	80
	30	0	18	50
	150/P	0	51	60
	149/P	0	51	90
	164/P	0	82	00
	167/P	0	12	00
	161/P	1	08	40
TOTAL		9	33	20
9. DARED	50	0	29	80
	51	0	42	10
TOTAL		0	71	90
10. JAMNAGAR CITY	895/P	0	47	20
	895/P	0	62	60
	895/P	0	24	80
	887/P	0	12	80
	878	0	69	60
	873/P	0	33	10
TOTAL		2	50	10
11. DADIYA	149/P	0	70	00
	152/P	0	10	40
	151/1/P	0	46	00
	151/2	0	95	40
	155/2/P	0	41	90
	155/2/P	0	10	00
TOTAL		2	73	70
12. KHMALIYA	212	0	73	10

1	2	3	4	5
KHIMALIYA (Cont'd)	211/P	0	71	10
	210	0	35	70
	209/P	0	20	40
	209/P	0	20	40
	207	0	47	40
	206/P	0	88	00
	202	0	16	60
	197/P	0	07	00
	93	0	59	20
TOTAL		4	38	90
13. SAPADA	93/P	0	49	20
	92/P	0	09	20
	92/2	0	24	10
	92/1	0	85	30
	91/P	0	01	30
	101/P	0	47	50
	102/P	0	51	40
	102/P	0	51	40
	90/2-2	0	25	70
	90/4-4	0	25	70
	89/3P	0	18	10
	89/3P	0	14	40
	89/3P	0	13	20
	87/P	0	26	20
	87/P	0	26	10
TOTAL		4	68	80
14. MODA	521	0	08	50
	431/P	0	36	50
	430/P	0	17	10
	430/P	0	17	10
	426/P	0	23	50
	426/P	0	23	50
	425/2	0	00	10
	427	0	49	00
	425/1	0	08	80
	428/P	0	23	80
	290	0	80	00
	289	0	51	70
	288	0	15	80
	287/1/P	0	39	30
	286	0	46	40
	285/P	0	29	00
	276	0	30	50
	277/P	0	32	70
	278	0	09	40
	269	0	00	10
	268/P	0	46	20
	265	0	36	70
	264/2/P	0	73	20
	243	0	09	00
	258	0	00	40
	257/P	0	22	00
	257/P	0	21	70
	244	0	41	20
	245/P	0	56	50

1	2	3	4	5
MODA (Cont'd)	247/2	0	38	20
	247/3	0	38	20
	247/4	0	38	20
	176/1	0	07	40
	175/P	0	33	90
	175/P	0	33	90
	175/P	0	33	90
	172	0	19	80
	170	0	46	40
	171	0	34	70
	159/P	0	19	40
	159/P	0	19	40
	160	0	42	00
TOTAL		12	55	10
15. GANGAJALA	20	0	67	60
	24/P	0	84	90
	60/P	0	25	70
	56	0	46	20
	57	0	37	10
	58	0	40	40
TOTAL		3	01	90
16. BERAJA (PASAYA)	30/1/P	0	12	50
	30/2/P	0	16	00
	30/3/P	0	16	00
	29/1/P	0	35	00
	29/2/P	0	54	10
	23/1/P	0	38	60
	23/2/P	0	09	70
	22	0	13	30
	21/1/P	0	00	20
	21/2/P	0	22	70
	14/1/P	0	29	00
	19	0	07	20
	20/P	0	10	40
	18/1/P	0	09	60
	18/2/P	0	65	50
	18/3/P	0	00	20
TOTAL		3	40	00
17. JAGA	179/1/P	0	11	60
	175	0	07	00
	176	0	35	50
	174/1	0	49	70
	174/2	0	32	40
	169/1	0	21	00
	169/2	0	21	00
	166/P	0	21	20
	166/P	0	21	00
	166/P	0	21	10
	165/3	0	00	20
	163/1	0	32	30
	163/2	0	32	30
	164	0	57	90
TOTAL		3	64	20
18. CHAVDA	44/2-1	0	35	20
	44/2-2	0	35	20

1	2	3	4	5
CHAVDA (Cont'd)	41/1	0	29	40
	42	0	37	40
TOTAL		1	37	20
19. JAMWANTHALI	75/1/P	0	53	80
	76/1/P	0	11	40
	76/1/P	0	38	70
	79/P	0	43	40
	79/P	0	41	30
	80	0	04	90
	111/P	0	00	60
	110/P	0	09	20
	110/P	0	09	20
	110/P	0	12	70
	110/P	0	42	10
	110/P	0	09	20
	109/1	0	72	30
	109/2/P	0	51	40
	109/2/P	0	02	40
	116/1/P	0	38	10
	135/P	0	59	40
	138/3/P	0	13	10
TOTAL		5	13	20
20. VIRPUR	141/P	1	07	70
	140/1/P	0	51	20
	132/4/P	0	44	70
	132/6/P	0	22	40
	132/7/P	0	22	40
	132/8/P	0	22	40
	132/9/P	0	22	40
	126/P	0	07	20
	126/P	0	06	10
	125/2/P	0	23	20
	125/3/P	0	23	20
	125/4/P	0	92	50
	89/1/P 1	0	52	50
	89/1/P 2	0	26	30
	90/1/P	0	12	40
	90/2/P	0	24	70
	91/1/P	0	30	30
	91/3/P	0	14	90
	91/4/P	0	25	60
	91/5/P	0	25	60
	92/P 2	0	65	10
	80/2/P	0	60	00
	79	0	36	50
	78/1/1/P 3	0	60	60
	76/P 3	0	49	60
	61/1/P 1	0	28	30
	61/1/P 2	0	17	40
	62/2/P 1	0	08	50
	62/2/P 2	0	38	80
	62/2/P 3	0	42	50
	64/1/P	0	24	10
	64/2/P	0	02	50
	64/3/P	0	20	10

1	2	3	4	5
VIRPUR (Cont'd)	64/4/P	0	15	10
	64/5/P	0	15	10
	64/6/P	0	13	10
	65/1/P 1	0	18	40
	65/1/P 3	0	18	20
	66/P 1	0	82	90
TOTAL		12	74	50
21. TAMACHAN	190/P	0	46	90
TOTAL		0	46	90
22. MOKHANA	1/P	0	22	20
	3/P	0	24	40
	4/P	0	23	90
	12	0	29	30
	11/1	0	14	70
	8/P	0	10	80
	8/P	0	53	90
	120/1-2	0	59	50
	27/P	0	53	10
	27/P	0	53	10
	28	0	41	90
	120/1-4/P	0	76	10
TOTAL		4	62	90
23. MOTATHAVARIYA	382/P	0	21	20
	382/P	0	17	90
	383/P	0	51	80
TOTAL		0	90	90
24. VIJARKHI	176/P 2	0	23	60
	178	0	14	00
	179	0	42	10
	176/P 3	0	09	40
	181/P	0	40	40
	181/P	0	23	80
	181/P	0	19	30
	184	0	50	10
	237/P	0	49	90
	186/P	0	64	10
	187/P	0	47	40
	199/3/P	0	17	90
	199/2/P	0	33	50
	199/1/P	0	32	70
	14	0	02	20
	7/2	0	20	90
	7/1	0	02	20
	7/3	0	07	60
	8	0	10	30
	9/1	0	25	80
	10	0	05	80
	88	0	86	60
	208	0	97	10
	209/P	0	06	90
	209/P	0	54	70
	209/P	0	40	40
	209/P	0	54	70
	84	0	08	80
	86	0	14	20

1	2	3	4	5
VJARKHI (Cont'd)	81/P	0	27	30
	81/P	0	47	60
	77/P	0	46	50
	77/P	0	47	60
	77/P	0	40	30
	75/P/1	0	13	10
TOTAL		11	28	80
25. SUVERDA	3	0	42	40
	5/2/P	0	41	00
	118/1	0	81	80
	119/1	0	52	50
	1	0	32	90
	123/2	0	16	10
	123/1-2/P	0	32	10
	123/1-2/P	0	32	10
	123/1-3/P	0	02	10
	122/2-1/P	0	09	60
	137/P	0	24	60
	137/P	0	24	60
	150/1	0	17	90
	149/1	0	31	50
	159/1/P	0	61	00
	163/4	0	47	20
	167	0	16	50
	180/2/P	0	38	90
	180/3/P	0	20	90
	176/P	0	02	10
	176/P	0	37	80
	184/P	0	06	70
	185/P	0	42	00
	185/P	0	28	00
	186	0	43	10
TOTAL		7	85	40

[No. L 14014/5/02-G.P]
SWAMI SINGH, Director

नई दिल्ली, 28 अगस्त, 2002

का. आ. 2758.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 366 तारीख 31 जनवरी, 2002 द्वारा गुजरात राज्य में जामनगर से मध्यप्रदेश राज्य में भोपाल तक जामनगर-भोपाल पाइपलाइन परियोजना के माध्यम से पुनः गैसीकृत द्रवित प्राकृतिक गैस के परिवहन के लिए गैस ट्रांसपोर्टेशन एंड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उक्त अधिसूचना के संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी ;

और, उक्त अधिसूचना की प्रतियां जनता को तारीख 10 अप्रैल, 2002 से 17 अप्रैल 2002 तक उपलब्ध करा दी गई थीं ;

और, सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और, केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि पाइपलाइन बिछाई जाने के लिए उक्त भूमि अपेक्षित है और इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः, अब केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाए ;

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमि के उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लंगमों से मुक्त गैस ट्रांसपोर्टेशन एंड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड में निहित होगा।

अनुसूची

तालुका : राहेरा

जिला : पंचमहाल

राज्य : गुजरात

गाव का नाम	सर्वे नंबर	हेक्टर	क्षेत्रफल आरे	स्कोर मी.
1	2	3	4	5
1. उमरपुर	237	0	87	20
	238/1	0	3	50
	238/2	0	11	90
	283/3	0	6	80
	239/1	0	13	00
	239/2	0	12	90
	240/5	0	4	90
	240/6	0	12	00
	240/7	0	11	30
	240/8	0	2	20
	241/2	0	2	20
	241/3	0	8	00
	242/1	0	14	30
	245	0	24	20
कुल		2	14	40
2. चलासी	23/6	0	14	60
	23/3	0	5	00
	23/4	0	12	70
	23/1	0	6	60
	23/5	0	6	30
	25	0	26	70
	30	0	56	30
	29	0	37	30
	41	0	6	20
	42/1	0	26	70
	28	0	1	30
	42/2	0	20	20
	42/3	0	21	60
	43	0	0	50
	44/2	0	9	70
	44/3	0	16	60
	44/4	0	11	70
	44/5	0	3	40
	45	0	75	00
	46/सी	0	7	30
	46/सी	0	24	50
	49/27	0	11	10
कुल		4	01	30
3. मोदिली	85/1	0	4	30
	85/2	0	5	10
	85/3	0	15	10
	13	0	74	40
	12/ 1	0	0	80

1	2	3	4	5
मीठासी (निरंतर)	65अ/2	0	5	60
	9	0	41	10
	7+65/बी	0	27	70
	5/ 1	0	50	40
	17/6	0	12	00
	17/7	0	8	10
	17/8	0	10	70
	17/9	0	0	10
	17/5	0	0	10
	20/1+3अ	0	5	20
	20/2अ+3बी	0	6	80
	20/2सी+3सी	0	7	10
	20/4	0	5	80
	21/1	0	58	20
कुल		3	38	60
4. पसनाल	56	0	26	20
	57	0	39	90
	61/1/7	0	46	60
	62बी	0	4	30
	62सी	0	4	20
	66/4	0	5	20
	63/1	0	15	20
	66/5	0	11	00
	66/2	0	29	70
	65+61/1/1	0	0	50
	67/4बी	0	10	00
	67/7	0	11	00
	67/1+3+1बी	0	11	00
	67/1+3+1अ	0	10	50
	74	0	18	20
	3/ 1	0	40	20
	3/ 2	0	21	60
	2	0	17	20
	12/ 4	0	7	00
	14	0	19	70
	16/1	0	11	80
	16/2	0	30	50
	21	0	58	40
	22	0	27	10
कुल		4	77	00
5. बाघजीपुर	210	0	18	50
	208	0	11	40
	209/बी	0	32	10
	205	0	32	70
	204	0	40	10
	203	0	33	30
	201	0	26	20
	199	0	7	90
	166	0	23	30
	167	0	34	20
	168	0	30	20

1	2	3	4	5
वाघजीपुर (निरंतर)	169/1	0	38	10
	169/2	0	54	00
	169/3/3	0	15	00
	169/3/4	0	3	80
	149	0	15	40
	171/1	0	7	40
	171/2/1	0	5	00
	171/2/2	0	5	40
	171/4	0	7	00
	172	0	17	20
	148/1	0	4	90
	147/1/2	0	12	00
	147/1/3	0	9	00
	147/2	0	15	50
	146/क	0	23	20
	145/4	0	12	50
	145/5	0	2	80
	145/6	0	8	00
	145/7	0	11	60
	144/1/1	0	13	50
	144/1/2	0	11	30
	144/1/3	0	9	00
	144/2	0	9	00
	144/3	0	0	70
	144/5	0	6	00
कुल		6	07	20
6. खाडीया	4/1	0	28	70
	5/1/2+1/2	0	24	10
	5/1/1+2/2	0	19	30
	6	0	68	40
	27/क	0	5	20
	28	0	8	90
	29	0	21	30
	30	0	5	40
	25/1	0	41	20
	23/2	0	30	90
	24	0	15	00
	22/1	0	15	30
	22/2	0	13	70
	22/3	0	16	90
	16/क	0	34	10
	15	0	14	40
	13	0	24	30
	30/1	0	8	50
	103	0	22	10
	65	0	33	20
कुल		4	50	90
7. धमाइ	193	0	69	60
	195/1 पार्ट	0	57	60
	195/2	0	1	70
	197/1	0	6	10

1	2	3	4	5
धमाड़ा (निरंतर)	197/2	0	6	60
	197/3	0	29	20
	197/4	0	6	50
	194	0	0	80
	49	0	25	60
	198/1	0	20	20
	199/1	0	20	20
	199/2	0	3	60
	199/3	0	2	80
	199/4	0	9	10
	199/5	0	9	10
	209	0	18	10
	210	0	21	70
	211	0	32	20
	212	0	0	60
	308/2	0	0	30
	305	0	15	80
	307/2	0	0	10
	304	0	13	60
	303/2	0	15	40
	303/3	0	0	40
	302	0	11	30
	301	0	47	80
	300	0	38	90
	297	0	16	30
	295	0	28	00
	292	0	5	50
	293/1	0	10	70
	293/2	0	10	20
	249/1	0	5	00
	249/2	0	9	00
	249/3	0	7	00
	249/4	0	5	20
	249/5	0	15	00
	294/1	0	2	70
	244/1	0	3	80
	244/2	0	12	80
	250/8	0	0	30
	299/2	0	0	30
कुल		6	16	70
8. बाकी	4/ 12	0	55	10
	4/ 11	0	23	60
	4/ 10	0	0	40
	4/ 20	0	24	50
	4/ 22	0	28	60
	4/21सी	0	8	50
	4/24+25अ	0	35	80
	4/25सी+4/26सी	0	16	30
	4/ 28	0	34	90
	4/47+48	0	6	80
	4/175	0	42	60

1	2	3	4	5
बाही (निरंतर)	4/182/1/अ	0	4	40
	4/183	0	18	70
	4/184	0	6	90
	4/185	0	10	00
	4/186	0	16	80
	4/187	0	13	80
	4/189	0	1	00
	4/188	0	4	90
	4/168	0	4	80
	4/167/अ	0	10	60
	4/167/बी	0	10	00
	4/159/1	0	17	20
	4/164	0	2	70
	4/163	0	2	50
	4/154	0	1	70
	4/152	0	9	00
	4/153	0	8	30
	4/151	0	0	30
	4/345	0	11	90
	4/ 99	0	9	80
	4/180	0	45	10
	4/101	0	21	30
	31/1	0	6	80
	31/2	0	6	80
	30 पार्ट	0	43	20
	33/1	0	1	10
	29	0	21	60
	28	0	21	00
	74/1/1	0	0	40
	75/1	0	12	90
	75/2	0	11	90
	77/2	0	29	10
	77/3	0	0	30
	82/1	0	28	90
	83/3	0	41	10
	82/2	0	14	20
	93अ	0	17	30
	93/अ/5	0	17	40
	115/1	0	12	60
	115/2	0	1	10
	116/1	0	9	50
	113/2	0	26	30
	113/4	0	1	60
	113/1	0	6	70
	112	0	31	20
	121/2	0	11	00
	121/1	0	8	70
	109	0	31	90
	108/1	0	15	10
	107	0	47	70
	106/1	0	13	00

1	2	3	4	5
बाती (निरंतर)	106/2	0	13	00
	106/3	0	13	50
	140/2सी	0	5	30
	140/2 पार्ट	0	5	30
कुल		10	36	30
9. दुमेलाय	38	0	16	70
	41	0	34	40
	40	0	46	90
	39	0	9	40
	20	0	32	30
	21/सी	0	7	50
	21/सी	0	18	90
	22/1	0	42	00
	26/1	0	17	90
	28/सी	0	50	60
	27/सी	0	30	00
	27/सी	0	51	20
	55/1	0	35	90
	58	0	40	70
कुल		4	34	40

तालुका : मोरवा (हड़फ)

जिला : पंचमहाल

राज्य : गुजरात

गाव का नाम	सर्वे नंबर	क्षेत्रफल		
		हेक्टर	आरे	स्कोर मी.
1	2	3	4	5
1. मातरीयावाडी	76/1	0	40	00
	76/2	0	36	80
	78	0	24	00
	79	0	36	10
	70/1	0	8	40
	70/2	0	8	30
	70/3	0	8	50
	69	0	25	60
	68	0	23	70
	62	0	20	90
	63/2	0	36	30
	64/4	0	4	20
	1/ 1/ 2	0	18	20
	1/ 3	0	19	00
	107/सी	0	2	30
	3/ 1	0	5	90
	3/ 2	0	6	00
	106/2	0	50	00
	106/3	0	16	50
	105/1	0	49	70
	103/3	0	0	60
	13/1	0	23	60
	13/2	0	2	00
	13/3	0	2	00

1	2	3	4	5
मातरीयावाडी (निरतर)	13/4	0	10	00
	13/5	0	10	00
	13/7	0	5	00
	14/2	0	31	00
	15/2/1फी	0	33	70
कुल		5	58	30
2 खाबडा	209/1	0	8	10
	209/3	0	3	70
	209/2	0	0	60
	210/1	0	8	50
	210/2	0	14	00
	220	0	17	70
	221	0	28	40
	222	0	19	00
	196/3	0	31	90
	196/2	0	27	80
	197+288	0	3	10
	191/1	0	52	30
	191/2	0	2	00
	190	0	15	10
	189+285	0	32	40
	184	0	47	50
	154	0	11	20
	155	0	44	10
	150	0	3	60
	129	0	83	30
	123	0	18	60
	120	0	55	80
	113/1	0	23	40
	113/2	0	23	40
	113/3	0	23	30
	112	0	23	20
	114/1	0	29	10
	111	0	41	50
	109/1	0	30	50
	109/2	0	31	00
	99	0	36	60
	97	0	41	00
कुल		8	31	70
3. रसुलपुर	403	0	24	20
	413	0	0	70
	414	0	24	20
	416	0	31	90
	419	0	0	50
	418/2	0	4	40
	417	0	41	70
	445	0	12	20
	455	0	3	00
	446	0	35	50
	449	0	14	20
	448/अ	0	11	30

1	2	3	4	5
रसुलपुर (निरंतर)	587	0	48	70
	588	0	55	90
	595	0	27	90
	295	0	0	70
	294	0	37	30
	293	0	34	80
	291/1	0	22	00
	291/2	0	21	00
	291/3	0	1	80
	290	0	14	70
	289	0	38	20
कुल		5	06	80

तालुका : गोधरा

जिला : पंचमहाल

राज्य : गुजरात

गाव का नाम	सर्वे नंबर	हेक्टर	क्षेत्रफल आरे	स्क्वेर मी.
1	2	3	4	5
1. काकनपुर	461	0	13	90
	460/1	0	2	80
	460/2	0	12	80
	460/3	0	0	20
	459/1	0	25	40
	457/1	0	16	30
	456/1	0	13	20
	443/2	0	22	80
	443/3	0	21	70
	444/1	0	22	50
	445/1	0	7	70
	445/2	0	17	40
	446/2	0	6	40
	446/3	0	2	70
	447/1	0	11	10
	447/2	0	15	10
	447/3	0	9	70
	433/8	0	14	60
	433/5	0	1	10
	433/9	0	13	90
	433/10	0	4	00
	433/6/2	0	6	10
	433/11	0	9	90
	433/12	0	2	00
	229	0	1	70
	1196	0	20	10
	1197	0	4	00
	425/1/अ	0	4	00
	1299	0	36	40
	1208	0	4	70
	1207	0	32	70

1	2	3	4	5
काकनपुर (निरंतर)	1206	0	9	80
	1205	0	27	50
	415	0	20	50
कुल		4	34	70
2. मोलाल	189	0	7	30
	190	0	22	30
	191	0	41	80
	192	0	1	30
	196बी	0	24	40
	184	0	34	30
	182	0	32	20
	181	0	0	70
	137	0	20	90
	136	0	13	80
	138	0	3	00
	135/2	0	17	20
	130	0	0	40
	129/1	0	5	70
	129/2	0	17	90
	129/3	0	4	90
	128	0	53	00
	126	0	2	50
	125	0	20	30
	120	0	41	20
	115	0	49	80
	113	0	9	20
	112	0	10	80
	75	0	40	90
कुल		4	75	80
3. पीपलीया	79/1/1	0	49	80
	79/1/2	0	23	60
	80/1/अ	0	1	40
	78/1	0	40	60
	80/2	0	63	70
	81/1	0	3	00
	81/2	0	31	00
	81/3	0	23	70
	87/1	0	0	10
	86/1	0	31	80
	86/2	0	10	30
	87/5	0	5	60
	84/2	0	21	80
	88/1/अ	0	23	80
	88/बी	0	1	40
	88/2	0	23	90
	89/1	0	42	50
	91 पी	0	29	70
	106	0	15	60
कुल		4	43	30

1	2	3	4	5
4. धानीत्रा	103/2	0	30	30
	104/1/1	0	17	60
	104/1/2	0	0	30
	104/3अ	0	12	50
	106/2	0	17	40
	105/1	0	25	10
	137	0	64	70
	139/2	0	10	80
	139/3	0	10	40
	197/1	0	0	10
	195	0	23	30
	194	0	28	80
	201	0	1	90
	205/1	0	2	80
	205/2	0	18	50
	205/3	0	5	50
	206/2	0	7	70
	206/3	0	24	00
	206/4	0	28	50
	207/1	0	19	00
	208	0	3	90
	230	0	66	00
	227/1	0	4	50
	231/4/अ	0	2	30
	226/1	0	30	10
	226/2	0	30	00
	240/6	0	4	00
	321/5	0	4	00
	321/6	0	17	40
	321/8	0	1	30
	321/9	0	37	40
	321/15	0	27	80
	321/10	0	7	10
	321/16	0	0	40
	321/14	0	32	10
	321/13	0	12	70
	313/3	0	14	60
	314	0	29	20
	316	0	32	40
	319	0	29	90
	339/9	0	1	10
	339/11	0	2	10
	329	0	48	90
	330/1	0	23	70
	338	0	13	40
	337	0	40	20
	336/2	0	25	40
	335/1	0	11	40

1	2	3	4	5
धानीत्रा (निरतर)	334/1	0	8	10
	334/2	0	8	10
कुल		9	37	70
5 जालीया	49	2	17	20
	39	0	33	40
	33	0	2	90
	40	0	38	60
	41	0	8	20
	48	0	9	50
	50	0	25	70
	55	0	0	50
	57	0	2	30
	58	0	16	00
	59	0	13	30
	16	0	25	90
	12	0	27	60
	8	0	23	40
	9	0	8	00
	7अ	0	2	50
	7ब	0	10	12
	6	0	15	00
	1अ	0	14	60
	2	0	2	50
	179	0	59	00
	178	0	0	40
	177	0	37	70
	176/2	0	24	00
	138	0	17	20
	139/1	0	18	30
	135	0	35	40
	127/1	0	3	40
	129	0	37	00
	130	0	0	60
	128	0	2	30
	107	0	43	80
	106	0	55	40
	105	0	3	10
	108	0	0	90
कुल		8	35	72
6. तरबडी	177	0	17	40
	178	0	82	30
	179	0	12	80
	162	0	32	50
	180	0	1	10
	183	0	46	70
	184	0	5	90
	187	0	19	80
	188	0	14	00
	186/2	0	12	50

1	2	3	4	5
तरवडी (निरंतर)	193/6	0	14	20
	191 की	0	22	00
	242 पार्ट	0	28	00
	242 पार्ट	0	5	00
	247/3	0	0	80
	243	0	35	20
	241	0	26	80
	251	0	27	40
	252 पार्ट	0	5	0
	252 पार्ट	0	2	40
	252 पार्ट	0	11	0
	252 पार्ट	0	12	0
	250 की	0	21	20
	253	0	20	10
	254/1	0	9	40
	254/2	0	10	00
	254/3	0	5	30
	260 पार्ट	0	6	20
	260 पार्ट	0	19	40
	259	0	42	60
	15 पार्ट	0	8	00
	15 पार्ट	0	14	80
	15 पार्ट	0	11	40
	257	0	4	10
कुल		6	05	50
7. सांघा	137	0	16	90
	135	0	9	90
	139 की	0	19	90
	139 की	0	52	00
	139 की	0	48	00
	139 की	0	15	00
	265	0	23	90
	266	0	27	60
	267	0	23	80
	268	0	18	30
	283	0	36	20
	290	0	79	10
	291	0	34	70
	289	0	2	80
	112/20	0	16	10
	296	0	1	50
	112/19	0	1	50
	112/27	0	54	40
	293	0	0	10
	112/28	0	70	80
	112/31	0	58	20
	112/32	0	11	60
	112/33	0	46	20
	62	0	32	70
	55	0	16	40
	61	0	93	20
	63	0	1	10
कुल		8	11	90

1	2	3	4	5
8 रीछगोटा	38/1/8	0	36	00
	38/1/9	0	45	60
	38/1/11	0	1	00
	38/2/70	0	64	70
	38/2/69	0	28	90
	38/2/77	0	36	00
	38/2/73	0	31	10
	38/2/85	0	10	50
	38/2/95	0	40	40
	38/2/94	0	25	60
	38/2/93	0	22	50
कुल		3	42	30
9. कबीरपुर	45	0	19	20
	23/1	0	22	10
	23/2	0	22	00
	44	0	43	70
	22	0	35	20
	13	0	6	70
	12	0	12	40
	11	0	8	10
	10	0	37	40
	7	0	44	00
	8	0	29	30
	67/44	0	23	20
	67/45	0	17	30
	67/13 पी	0	12	30
	67/14	0	24	50
	67/16	0	25	90
	67/15	0	4	10
	70	0	38	60
	72	0	43	80
	73पी	0	33	40
कुल		5	03	20
10. जायड	195/1	0	23	60
	195/3	0	10	00
	194/1	0	27	00
	196	0	12	90
	197/1	0	27	70
	197/2	0	17	50
	197/3	0	7	50
	198	0	4	60
	188/2	0	37	80
	187	0	38	30
	186/2पी	0	32	10
	186/2पी	0	6	00
	186/4	0	9	60
	218/1	0	50	50
	218/2	0	18	90
	219/1अ	0	3	40
	219/1बी	0	11	00
	219/1सी	0	1	40
	220/1	0	28	30
कुल		3	68	10

1	2	3	4	5
11 घरी	951	0	6	70
	963	0	0	40
	962	0	35	40
	974	0	14	90
	973	0	28	30
	976	0	1	50
	972	0	31	00
	977	0	5	20
	978	0	11	80
	979	0	12	20
	687	0	5	20
	688	0	2	10
	689	0	6	07
	685	0	0	30
	690/1	0	9	89
	686/7	0	1	80
	686/6	0	1	00
	690/2	0	7	30
	691/4	0	0	10
	690/3	0	6	00
	692/1	0	2	00
	693/1	0	33	30
	694/1	0	11	50
	695/1	0	28	30
	695/2	0	4	40
	696/3	0	5	00
	733/2	0	2	50
	733/1	0	4	30
	732/1	0	9	00
	732/2	0	5	20
	732/6	0	4	70
	731/2	0	4	70
	731/1	0	11	50
	730/2	0	5	40
	743	0	4	90
	729/1	0	9	90
	729/2	0	9	50
	727/1	0	4	40
	727/2	0	7	80
	727/3	0	3	00
	726/2	0	1	30
	707/1	0	8	70
	707/3	0	9	70
	709	0	1	12
	708	0	3	20
	601/4	0	3	80
	601/3	0	3	20
	601/2	0	0	50
	600	0	4	96
	598	0	12	00
	597/3	0	3	40
	597/2	0	3	70
	597/1	0	4	30
	561/4	0	0	50

1	2	3	4	5
धरी (निरंतर)	561/6	0	2	49
	561/5	0	2	50
	561/3	0	5	26
	541/2	0	14	17
	541/1	0	1	60
	538	0	13	50
	534	0	11	70
	535	0	6	00
	536/4	0	13	10
	536/1	0	8	30
	536/2	0	1	60
	536/3	0	6	10
	536/5	0	4	90
	496	0	7	50
	463	0	0	30
	495	0	28	90
	499	0	48	60
	493	0	1	90
	500 पी	0	3	30
	492	0	22	80
	491	0	42	30
	507 पी	0	1	40
	490	0	3	90
	508 पी	0	37	00
	508 पी	0	38	80
	509 पी	0	53	10
कुल		7	99	53
12. रतनपुर	432	0	32	00
	450	0	0	20
	457	0	43	10
	472/1	0	14	90
	472/2	0	30	00
	471	0	2	90
	469	0	0	50
	481	0	3	80
	488	0	24	28
	513/सी/4	0	74	50
	513/सी/5	0	60	50
	707	0	28	20
	706	0	9	30
	587/1/7	0	7	90
	584	0	30	20
	585	0	35	60
	586	0	17	90
	588/पी	0	18	40
	588/पी	0	83	20
कुल		5	17	38

[फा. सं. एल/14014/10/02-जी.पी.]

स्वामी सिंह, निदेशक

New Delhi, the 28th August, 2002

S. O. 2758.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O.366 , dated the 31st January, 2002, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of regassified liquefied natural gas through the Jamnagar-Bhopal Pipeline Project from Jamnagar in the State of Gujarat to Bhopal in the State of Madhya Pradesh by Gas Transportation and Infrastructure Company Limited;

And whereas copies of the said Gazette notification were made available to the public from 16-4-2002 to 17-4-2002;

And whereas the competent authority has under sub-section (1) of section 6 of the said Act , submitted report to the Central Government;

And further whereas the Central Government after considering the said report and on being satisfied that the said land is required for laying the pipeline and has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired, for laying the pipeline;

And further in exercise of the powers conferred by sub-section (4) of section 6 of the said Act the Central Government hereby directs that the right of user in the said land shall instead of vesting in the Central Government, vest on this date of publication of this declaration, in Gas Transportation and Infrastructure Company Limited free from all encumbrances.

SCHEDULE

Taluka : SHEHERA

District : PANCHMAHALS

State : Gujarat

Name of the Village	Survey No.	AREA		
		Hectare	Are	Sq. Mtr.
1	2	3	4	5
1. UMARPUR	237	0	87	20
	238/1	0	3	50
	238/2	0	11	90
	283/3	0	6	80
	239/1	0	13	00
	239/2	0	12	90
	240/5	0	4	90
	240/6	0	12	00
	240/7	0	11	30
	240/8	0	2	20
	241/2	0	2	20
	241/3	0	8	00
	242/1	0	14	30
	245	0	24	20
TOTAL		2	14	40
2. CHALALI	23/6	0	14	60
	23/3	0	5	00
	23/4	0	12	70
	23/1	0	6	60
	23/5	0	6	30
	25	0	26	70
	30	0	56	30
	29	0	37	30
	41	0	6	20
	42/1	0	26	70
	28	0	1	30
	42/2	0	20	20
	42/3	0	21	60
	43	0	0	50
	44/2	0	9	70
	44/3	0	16	60
	44/4	0	11	70
	44/5	0	3	40
	45	0	75	00
	46/P	0	7	30
	46/P	0	24	50
	49/27	0	11	10
TOTAL		4	01	30
3 MITHALI	85/1	0	4	30
	85/2	0	5	10
	85/3	0	15	10
	13	0	74	40
	12/ 1	0	0	80

1	2	3	4	5
MITHALI (Cont'd)	65A/2	0	5	60
	9	0	41	10
	7+65/B	0	27	70
	5/ 1	0	50	40
	17/6	0	12	00
	17/7	0	8	10
	17/8	0	10	70
	17/9	0	0	10
	17/5	0	0	10
	20/1+3A	0	5	20
	20/2A+3B	0	6	80
	20/2C+3C	0	7	10
	20/4	0	5	80
	21/1	0	58	20
TOTAL		3	38	60
4. PASNAL	56	0	26	20
	57	0	39	90
	61/1/7	0	46	60
	62P	0	4	30
	62P	0	4	20
	66/4	0	5	20
	63/1	0	15	20
	66/5	0	11	00
	66/2	0	29	70
	65+61/1/1	0	0	50
	67/4B	0	10	00
	67/7	0	11	00
	67/1+3+1B	0	11	00
	67/1+3+1A	0	10	50
	74	0	18	20
	3/ 1	0	40	20
	3/ 2	0	21	60
	2	0	17	20
	12/ 4	0	7	00
	14	0	19	70
	16/1	0	11	80
	16/2	0	30	50
	21	0	58	40
	22	0	27	10
TOTAL		4	77	00
5. VAGHJIPUR	210	0	18	50
	208	0	11	40
	209/P	0	32	10
	205	0	32	70
	204	0	40	10
	203	0	33	30
	201	0	26	20
	199	0	7	90
	166	0	23	30
	167	0	34	20
	168	0	31	20

1	2	3	4	5
VAGHJIPUR (Cont'd)	169/1	0	38	10
	169/2	0	54	00
	169/3/3	0	15	00
	169/3/4	0	3	80
	149	0	15	40
	171/1	0	7	40
	171/2/1	0	5	00
	171/2/2	0	5	40
	171/4	0	7	00
	172	0	17	20
	148/1	0	4	90
	147/1/2	0	12	00
	147/1/3	0	9	00
	147/2	0	15	50
	146/P	0	23	20
	145/4	0	12	50
	145/5	0	2	80
	145/6	0	8	00
	145/7	0	11	60
	144/1/1	0	13	50
	144/1/2	0	11	30
	144/1/3	0	9	00
	144/2	0	9	00
	144/3	0	0	70
	144/5	0	6	00
TOTAL		6	07	20
6. KHANDIYA	4/1	0	28	70
	5/1/2+1/2	0	24	10
	5/1/1+2/2	0	19	30
	6	0	68	40
	27/P	0	5	20
	28	0	8	90
	29	0	21	30
	30	0	5	40
	25/1	0	41	20
	23/2	0	30	90
	24	0	15	00
	22/1	0	15	30
	22/2	0	13	70
	22/3	0	16	90
	16/P	0	34	10
	15	0	14	40
	13	0	24	30
	60/1	0	8	50
	103	0	22	10
	65	0	33	20
TOTAL		4	50	90
7. DHAMAI	193	0	69	60
	195/1 Part	0	57	60
	195/2	0	1	70
	197/1	0	6	10

1	2	3	4	5
DHAMAI (Cont'd)	197/2	0	6	60
	197/3	0	29	20
	197/4	0	6	50
	194	0	0	80
	49	0	25	60
	198/1	0	20	20
	199/1	0	20	20
	199/2	0	3	60
	199/3	0	2	80
	199/4	0	9	10
	199/5	0	9	10
	209	0	18	10
	210	0	21	70
	211	0	32	20
	212	0	0	60
	308/2	0	0	30
	305	0	15	80
	307/2	0	0	10
	304	0	13	60
	303/2	0	15	40
	303/3	0	0	40
	302	0	11	30
	301	0	47	80
	300	0	38	90
	297	0	16	30
	295	0	28	00
	292	0	5	50
	293/1	0	10	70
	293/2	0	10	20
	249/1	0	5	00
	249/2	0	9	00
	249/3	0	7	00
	249/4	0	5	20
	249/5	0	15	00
	294/1	0	2	70
	244/1	0	3	80
	244/2	0	12	80
	250/8	0	0	30
	299/2	0	0	30
TOTAL		6	16	70
8. BAH	4/ 12	0	55	10
	4/ 11	0	23	60
	4/ 10	0	0	40
	4/ 20	0	24	50
	4/ 22	0	28	60
	4/21P	0	8	50
	4/24+25A	0	35	80
	4/25B+4/26C	0	16	30
	4/ 28	0	34	90
	4/47+48	0	6	80
	4/175	0	42	60

1	2	3	4	5
BAHI (Cont'd).	4/182/1/A	0	4	40
	4/183	0	18	70
	4/184	0	6	90
	4/185	0	10	00
	4/186	0	16	80
	4/187	0	13	80
	4/189	0	1	00
	4/188	0	4	90
	4/168	0	4	80
	4/167/A	0	10	60
	4/167/B	0	10	00
	4/159/1	0	17	20
	4/164	0	2	70
	4/163	0	2	50
	4/154	0	1	70
	4/152	0	9	00
	4/153	0	8	30
	4/151	0	0	30
	4/345	0	11	90
	4/ 99	0	9	80
	4/180	0	45	10
	4/101	0	21	30
	31/1	0	6	80
	31/2	0	6	80
	30 Part	0	43	20
	33/1	0	1	10
	29	0	21	60
	28	0	21	00
	74/1/1	0	0	40
	75/1	0	12	90
	75/2	0	11	90
	77/2	0	29	10
	77/3	0	0	30
	82/1	0	28	90
	83/3	0	41	10
	82/2	0	14	20
	93A	0	17	30
	93/A/5	0	17	40
	115/1	0	12	60
	115/2	0	1	10
	116/1	0	9	50
	113/2	0	26	30
	113/4	0	1	60
	113/1	0	6	70
	112	0	31	20
	121/2	0	11	00
	121/1	0	8	70
	109	0	31	90
	108/1	0	15	10
	107	0	47	70
	106/1	0	13	00

1	2	3	4	5
BAHI (Cont'd).	106/2	0	13	00
	106/3	0	13	50
	140/2P	0	5	30
	140/2 Part	0	5	30
TOTAL		10	36	30
9. DUMELAV	38	0	16	70
	41	0	34	40
	40	0	46	90
	39	0	9	40
	20	0	32	30
	21/P	0	7	50
	21/P	0	18	90
	22/1	0	42	00
	26/1	0	17	90
	28/P	0	50	60
	27P	0	30	00
	27P	0	51	20
	55/1	0	35	90
	58	0	40	70
TOTAL		4	34	40

Taluka : MORVA(HADAF)

District : PANCHMAHALS

State : Gujarat

Name of the Village	Survey No.	AREA		
		Hectare	Are	Sq. Mtr.
1	2	3	4	5
1. MATRIYAWADI	76/1	0	40	00
	76/2	0	36	80
	78	0	24	00
	79	0	36	10
	70/1	0	8	40
	70/2	0	8	30
	70/3	0	8	50
	69	0	25	60
	68	0	23	70
	62	0	20	90
	63/2	0	36	30
	64/4	0	4	20
	1/ 1/ 2	0	18	20
	1/ 3	0	19	00
	107/P	0	2	30
	3/ 1	0	5	90
	3/ 2	0	6	00
	106/2	0	50	00
	106/3	0	16	50
	105/1	0	49	70
	103/3	0	0	60
	13/1	0	23	60
	13/2	0	2	00
	13/3	0	2	00

1	2	3	4	5
MATRIYAWADI (Cont'd)	13/4	0	10	00
	13/5	0	10	00
	13/7	0	5	00
	14/2	0	31	00
	15/2/1P	0	33	70
TOTAL		5	58	30
2. KHABDA	209/1	0	8	10
	209/3	0	3	70
	209/2	0	0	60
	210/1	0	8	50
	210/2	0	14	00
	220	0	17	70
	221	0	28	40
	222	0	19	00
	196/3 ^a	0	31	90
	196/2	0	27	80
	197+288	0	3	10
	191/1	0	52	30
	191/2	0	2	00
	190	0	15	10
	189+285	0	32	40
	184	0	47	50
	154	0	11	20
	155	0	44	10
	150	0	3	60
	129	0	83	30
	123	0	18	60
	120	0	55	80
	113/1	0	23	40
	113/2	0	23	40
	113/3	0	23	30
	112	0	23	20
	114/1	0	29	10
	111	0	41	50
	109/1	0	30	50
	109/2	0	31	00
	99	0	36	60
	97	0	41	00
TOTAL		8	31	70
3. RASULPUR	403	0	24	20
	413	0	0	70
	414	0	24	20
	416	0	31	90
	419	0	0	50
	418/2	0	4	40
	417	0	41	70
	445	0	12	20
	455	0	3	00
	446	0	35	50
	449	0	14	20
	448/A	0	11	30

1	2	3	4	5
RASULPUR (Cont'd)	587	0	48	70
	588	0	55	90
	595	0	27	90
	295	0	0	70
	294	0	37	30
	293	0	34	80
	291/1	0	22	00
	291/2	0	21	00
	291/3	0	1	80
	290	0	14	70
	289	0	38	20
TOTAL		5	06	80

Taluka : GODHRA

District : PANCHMAHALS

State : Gujarat

Name of the Village	Survey No.	AREA		
		Hectare	Are	Sq. Mtr.
1	2	3	4	5
1. KAKANPUR	461	0	13	90
	460/1	0	2	80
	460/2	0	12	80
	460/3	0	0	20
	459/1	0	25	40
	457/1	0	16	30
	456/1	0	13	20
	443/2	0	22	80
	443/3	0	21	70
	444/1	0	22	50
	445/1	0	7	70
	445/2	0	17	40
	446/2	0	6	40
	446/3	0	2	70
	447/1	0	11	10
	447/2	0	15	10
	447/3	0	9	70
	433/8	0	14	60
	433/5	0	1	10
	433/9	0	13	90
	433/10	0	4	00
	433/6/2	0	6	10
	433/11	0	9	90
	433/12	0	2	00
	229	0	1	70
	1196	0	20	10
	1197	0	4	00
	425/1/A	0	4	00
	1299	0	36	40
	1208	0	4	70
	1207	0	32	70

1	2	3	4	5
KAKANPUR (Cont'd)	1206	0	9	80
	1205	0	27	50
	415	0	20	50
TOTAL		4	34	70
2 MOTAL	189	0	7	30
	190	0	22	30
	191	0	41	80
	192	0	1	30
	196B	0	24	40
	184	0	34	30
	182	0	32	20
	181	0	0	70
	137	0	20	90
	136	0	13	80
	138	0	3	00
	135/2	0	17	20
	130	0	0	40
	129/1	0	5	70
	129/2	0	17	90
	129/3	0	4	90
	128	0	53	00
	126	0	2	50
	125	0	20	30
	120	0	41	20
	115	0	49	80
	113	0	9	20
	112	0	10	80
	75	0	40	90
TOTAL		4	75	80
3. PIPALIYA	79/1/1	0	49	80
	79/1/2	0	23	60
	80/1/A	0	1	40
	78/1	0	40	60
	80/2	0	63	70
	81/1	0	3	00
	81/2	0	31	00
	81/3	0	23	70
	87/1	0	0	10
	86/1	0	31	80
	86/2	0	10	30
	87/5	0	5	60
	84/2	0	21	80
	88/1/A	0	23	80
	88/B	0	1	40
	88/2	0	23	90
	89/1	0	42	50
	91 P	0	29	70
	106	0	15	60
TOTAL		4	43	30

1	2	3	4	5
4 DHANITRA	103/2	0	30	30
	104/1/1	0	17	60
	104/1/2	0	0	30
	104/3A	0	12	50
	106/2	0	17	40
	105/1	0	25	10
	137	0	64	70
	139/2	0	10	80
	139/3	0	10	40
	197/1	0	0	10
	195	0	23	30
	194	0	28	80
	201	0	1	90
	205/1	0	2	80
	205/2	0	18	50
	205/3	0	5	50
	206/2	0	7	70
	206/3	0	24	00
	206/4	0	28	50
	207/1	0	19	00
	208	0	3	90
	230	0	66	00
	227/1	0	4	50
	231/4/B	0	2	30
	226/1	0	30	10
	226/2	0	30	00
	240/6	0	4	00
	321/5	0	4	00
	321/6	0	17	40
	321/8	0	1	30
	321/9	0	37	40
	321/15	0	27	80
	321/10	0	7	10
	321/16	0	0	40
	321/14	0	32	10
	321/13	0	12	70
	313/3	0	14	60
	314	0	29	20
	316	0	32	40
	319	0	29	90
	339/9	0	1	10
	339/11	0	2	10
	329	0	48	90
	330/1	0	23	70
	338	0	13	40
	337	0	40	20
	336/2	0	5	40
	335/1	0	1	40

1	2	3	4	5
DHANITRA (Cont'd)	334/1	0	8	10
	334/2	0	8	10
TOTAL		9	37	70
5. JALIYA	49	2	17	20
	39	0	33	40
	33	0	2	90
	40	0	38	60
	41	0	8	20
	48	0	9	50
	50	0	25	70
	55	0	0	50
	57	0	2	30
	58	0	16	00
	59	0	13	30
	16	0	25	90
	12	0	27	60
	8	0	23	40
	9	0	8	00
	7A	0	2	50
	7B	0	10	12
	6	0	15	00
	1A	0	14	60
	2	0	2	50
	179	0	59	00
	178	0	0	40
	177	0	37	70
	176/2	0	24	00
	138	0	17	20
	139/1	0	18	30
	135	0	35	40
	127/1	0	3	40
	129	0	37	00
	130	0	0	60
	128	0	2	30
	107	0	43	80
	106	0	55	40
	105	0	3	10
	108	0	0	90
TOTAL		8	35	72
6. TARVADI	177	0	17	40
	178	0	82	30
	179	0	12	80
	162	0	32	50
	180	0	1	10
	183	0	46	70
	184	0	5	90
	187	0	19	80
	188	0	14	00
	186/2P	0	12	50

1	2	3	4	5
TARVADI (Cont'd)	193/6	0	14	20
	191P	0	22	00
	242 Part	0	28	00
	242 Part	0	5	00
	247/3	0	0	80
	243	0	35	20
	241	0	26	80
	251	0	27	40
	252 Part	0	5	0
	252 Part	0	2	40
	252 Part	0	11	0
	252 Part	0	12	0
	250 P	0	21	20
	253	0	20	10
	254/1	0	9	40
	254/2	0	10	00
	254/3	0	5	30
	260 Part	0	6	20
	260 Part	0	19	40
	259	0	42	60
	15 Part	0	8	00
	15 Part	0	14	80
	15 Part	0	11	40
	257	0	4	10
TOTAL		6	05	50
7. SAMPA	137	0	16	90
	135	0	9	90
	139 P	0	19	90
	139 P	0	52	00
	139 P	0	48	00
	139 P	0	15	00
	265	0	23	90
	266	0	27	60
	267	0	23	80
	268	0	18	30
	283	0	36	20
	290	0	79	10
	291	0	34	70
	289	0	2	80
	112/20	0	16	10
	296	0	1	50
	112/19	0	1	50
	112/27	0	54	40
	293	0	0	10
	112/28	0	70	80
	112/31	0	58	20
	112/32	0	11	60
	112/33	0	46	20

1	2	3	4	5
SAMPA (Cont'd)	62	0	32	70
	55	0	16	40
	61	0	93	20
	63	0	1	10
TOTAL		8	11	90
8. RICHROTA	38/1/8	0	36	00
	38/1/9	0	45	60
	38/1/11	0	1	00
	38/2/70	0	64	70
	38/2/69	0	28	90
	38/2/77	0	36	00
	38/2/73	0	31	10
	38/2/85	0	10	50
	38/2/95	0	40	40
	38/2/94	0	25	60
	38/2/93	0	22	50
TOTAL		3	42	30
9. KABIRPUR	45	0	19	20
	23/1	0	22	10
	23/2	0	22	00
	44	0	43	70
	22	0	35	20
	13	0	6	70
	12	0	12	40
	11	0	8	10
	10	0	37	40
	7	0	44	00
	8	0	29	30
	67/44	0	23	20
	67/45	0	17	30
	67/13 P	0	12	30
	67/14	0	24	50
	67/16	0	25	90
	67/15	0	4	10
	70	0	38	60
	72	0	43	80
	73P	0	33	40
TOTAL		5	03	20
10. CHHAWAD	195/1	0	23	60
	195/3	0	10	00
	194/1	0	27	00
	196	0	12	90
	197/1	0	27	70
	197/2	0	17	50
	197/3	0	7	50
	198	0	4	60
	188/2	0	37	80
	187	0	38	30

1	2	3	4	5
CHHAWAD (Cont'd)	186/2P	0	32	10
	186/2P	0	6	00
	186/4	0	9	60
	218/1	0	50	50
	218/2	0	18	90
	219/1A	0	3	40
	219/1B	0	11	00
	219/1C	0	1	40
	220/1	0	28	30
TOTAL		3	68	10
11 DHARI	951	0	6	70
	963	0	0	40
	962	0	35	40
	974	0	14	90
	973	0	28	30
	976	0	1	50
	972	0	31	00
	977	0	5	20
	978	0	11	80
	979	0	12	20
	687	0	5	20
	688	0	2	10
	689	0	6	07
	685	0	0	30
	690/1	0	9	89
	686/7	0	1	80
	686/6	0	1	00
	690/2	0	7	30
	691/4	0	0	10
	690/3	0	6	00
	692/1	0	2	00
	693/P	0	33	30
	694 P	0	11	50
	695/1	0	28	30
	695/2	0	4	40
	696/3	0	5	00
	733/2	0	2	50
	733/1	0	4	30
	732/1	0	9	00
	732/2	0	5	20
	732/6	0	4	70
	731/2	0	4	70
	731/1	0	11	50
	730/2	0	5	40
	743	0	4	90
	729/1	0	9	90
	729/2	0	9	50
	727/1	0	4	40
	727/2	0	7	80
	727/3	0	3	00
	726/2	0	1	30
	707/1	0	8	70
	707/3	0	9	70
	709	0	1	12

1	2	3	4	5
DHARI (Cont'd)	708	0	3	20
	601/4	0	3	80
	601/3	0	3	20
	601/2	0	0	50
	600	0	4	96
	598	0	12	00
	597/3	0	3	40
	597/2	0	3	70
	597/1	0	4	30
	561/4	0	0	50
	561/6	0	2	49
	561/5	0	2	50
	561/3	0	5	26
	541/2	0	14	17
	541/1	0	1	60
	538	0	13	50
	534	0	11	70
	535	0	6	00
	536/4	0	13	10
	536/1	0	8	30
	536/2	0	1	60
	536/3	0	6	10
	536/5	0	4	90
	496	0	7	50
	463	0	0	30
	495	0	28	90
	499	0	48	60
	493	0	1	90
	500 P	0	3	30
	492	0	22	80
	491	0	42	30
	507 P	0	1	40
	490	0	3	90
	508 P	0	37	00
	508 P	0	38	80
	509 P	0	53	10
TOTAL		7	99	53
12. RATANPUR	432	0	32	00
	450	0	0	20
	457	0	43	10
	472/1	0	14	90
	472/2	0	30	00
	471	0	2	90
	469	0	0	50
	481	0	3	80
	488	0	24	28
	513/C/4	0	74	50
	513/C/5	0	60	50
	707	0	28	20
	706	0	9	30
	587/1/7	0	7	90
	584	0	30	20

1	2	3	4	5
RATANPUR (Cont'd)	585	0	35	60
	586	0	17	90
	588/P	0	18	40
	588/P	0	83	20
TOTAL		5	17	38

[No. L.14014/10/02-G.P.]
SWAMI SINGH, Director

नई दिल्ली, 28 अगस्त, 2002

का. आ. 2759.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 301 तारीख 01 फरवरी, 2002 द्वारा गुजरात राज्य में जामनगर से मध्यप्रदेश राज्य में भोपाल तक पेट्रोलियम उत्पादों के परिवहन के लिए मध्य ट्रांसपोर्टेशन एण्ड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी ;

और, उक्त अधिसूचना की प्रतियां जनता को तारीख 26 फरवरी, 2002 को उपलब्ध करा दी गई थीं ;

और, जनता से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और उन्हें अननुज्ञात कर दिया गया है ;

और, सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उस भूमि में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अंतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग का अधिकार अर्जित किया जाता है ;

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि पाइपलाइन बिछाने के लिए उक्त भूमि के उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लंगमों से मुक्त गैस ट्रांसपोर्टेशन एंड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड में निहित होगा।

अनुसूची

तालुका : लीमखेडा

जिला : दाहोद

राज्य : गुजरात

गाव का नाम	सर्वे नंबर	क्षेत्रफल		
		हेक्टर	आरे	स्केर मी.
1	2	3	4	5
1 नवा वाडीया	26	0	70	40
	27	0	25	60
	28	0	12	80
	48/1	0	31	50
	48/2	0	31	00
	31 पी	0	9	20
	32	0	28	30
	33	0	22	10
	34	0	15	20
	35	0	0	50
	36	0	30	60
	37	0	27	60
	45	0	47	60
	46	0	46	70
	66 पी	0	26	60
	61	0	12	70
	11	0	23	20
	55	0	3	30
	51	0	0	10
	52	0	14	50
	53	0	10	70
	54	0	0	40
कुल		4	90	60
2. मछेलाई	55/1	0	2	70
	54	0	42	20
	203	0	39	90
	29	0	41	00
	27	0	2	60
	31	0	39	20
	32	0	18	80
	26/1	0	6	20
	26/3	0	6	20
	33	0	5	30
	25	0	12	20
	24	0	15	80
कुल		2	32	10
3. जुना वाडीया	41 पी	0	4	30
	41 पी	0	25	40
	41 पी	0	48	90
	41 पी	0	30	40
	24	0	18	00
	25 पी	0	33	30
	28 पी	0	54	40
	52	0	4	00

1	2	3	4	5
जुना बाझीया (निरंतर)	51	0	7	40
कुल		2	26	10
4. इकारा	4/अ/पी	0	16	60
	3/1	0	22	20
कुल		0	38	80
5. सीगापुर	19/1पी	0	55	90
	19/1पी	0	25	00
	19/1पी	0	25	00
	19/1पी	0	23	00
	19/1पी	0	15	00
	19/1पी	0	15	00
	19/1पी	0	16	00
	18	0	3	30
कुल		1	38	20
6. फुलपरी	8	0	6	70
	31	0	6	20
	32	0	4	90
	33	0	44	30
	34	0	32	40
	29	0	65	30
	28/1	0	21	00
	28/2	0	21	00
	28/3	0	21	00
	28/4	0	22	10
	27	0	7	00
कुल		2	51	90
7. फतेपुर	15	0	22	00
	32	0	16	90
	31	0	21	40
	30	0	16	80
	29/1/अ	0	16	40
	29/1/पी	0	17	00
	28/1	0	26	70
	28/2	0	27	00
	27	0	41	50
	37	0	45	30
	38	0	43	90
कुल		2	94	90
8. जामदर	220	0	6	90
	215/2	0	12	00
	215/3	0	15	20
	215/4	0	12	00
	216/6	0	7	60
	214	0	32	40
	213	0	0	20
	210	0	24	70
	208/4	0	9	50
	208/3	0	25	10
	206/1	0	6	30
	206/2	0	6	00
	206/3	0	10	00

1	2	3	4	5
जामदस (नरंतर)	206/4	0	11	70
	206/5	0	10	10
	206/6	0	5	10
	206/7	0	4	10
	206/8	0	8	40
	206/10	0	5	60
	206/11	0	4	40
	206/12	0	2	20
	206/13	0	4	30
	205/1	0	21	10
	205/2	0	35	10
कुल		2	75	00
9 सतीफलीया	65	0	25	40
	39	0	46	10
	64	0	39	60
	43	0	32	10
	45	0	16	30
	46	0	33	40
	47/1	0	3	60
	47/2	0	39	90
	47/3	0	12	70
	19	0	30	70
	72	0	12	30
	25	0	31	20
	26	0	4	80
	74	0	5	30
	73 पार्ट	0	37	70
कुल		3	71	10
10 मोटी बांडीबार	301/1	0	19	80
	301/2	0	2	20
	269/1	0	0	85
	275/2	0	19	10
	270/1	0	27	90
	270/2	0	24	10
	272	0	38	60
कुल		1	32	55
11 मोटीबाव	4	0	36	70
	3	0	16	10
	7	0	14	20
	8/2	0	66	60
	10	0	5	80
	17	0	5	10
	12	0	23	70
	13/1	0	13	80
	15/1	0	20	80
	15/2	0	29	20
	15/3	0	5	80
	14/1	0	0	20
	14/2	0	3	40
	14/3	0	7	40
	154	0	37	00

1	2	3	4	5
गोटीवाव (निरंतर)	156/2	0	13	20
	140 पी	0	4	20
	140 पी	0	4	30
	153	0	7	30
	159/1/अ	0	20	10
	159/1/स	0	20	00
	162 पर्ट	0	57	10
	161/2	0	1	10
	163	0	3	30
	166/1	0	36	60
	166/2/पी	0	22	80
	169/2	0	5	00
	168/10	0	4	90
	168/9	0	7	20
	168/3	0	1	50
	168/4	0	11	50
	168/5	0	1	20
	174	0	29	70
	82/1	0	10	70
	82/4	0	1	50
	82/5	0	0	80
	204	0	36	90
	92/1 पी	0	22	00
	205	0	39	30
	86/1	0	14	20
	86/2	0	18	40
	206	0	1	00
	182	0	21	90
	180	0	78	80
कुल		7	82	30
12. बनजारिया	73	0	6	60
	74	0	27	80
	75/1	0	4	40
	71	0	45	10
	70	0	15	30
	59	0	0	10
	60	0	5	40
	61 पी	0	9	60
	62	0	16	00
	63	0	21	00
	64 पी	0	25	30
	65	0	24	00
	66	0	17	70
	67	0	18	10
	68 पी	0	27	00
	78 पी	0	8	20
	79	0	7	60
कुल		2	79	20
13. सुखावाड	182/1	0	3	50
	194/1	0	0	60
	195/1	0	10	00

1	2	3	4	5
सुखायास (निरंतर)	195/2	0	11	00
	195/3	0	11	00
	195/4	0	11	00
	195/5	0	11	00
	196/1फी	0	0	40
	197/1	0	47	20
	197/2	0	20	90
	202/9	0	3	20
	201	0	27	80
	214/फी	0	19	20
	214/फी	0	19	30
	217/3	0	13	90
	217/4	0	5	60
	217/5	0	6	50
	217/6	0	4	80
	216/3	0	11	40
	216/4	0	3	20
	89/2	0	9	50
	89/3	0	4	30
	89/4	0	3	80
	90	0	16	00
	91/1/1	0	2	30
	91/1/2	0	5	00
	91/1/3	0	10	00
	91/3	0	6	07
	93/1	0	10	80
	93/2	0	0	80
	87/2	0	7	90
	87/3	0	10	60
	87/4	0	7	10
	86	0	16	90
	84फी	0	4	60
	84फी	0	4	00
	84फी	0	4	00
	84फी	0	4	00
	84फी	0	4	00
	70/फी	0	25	40
	70/2फी	0	8	00
	69	0	15	90
	67/1/2फी	0	0	40
	68/1	0	14	20
	68/2	0	15	00
	68/3	0	7	80
	64/1	0	20	80
	64/2	0	7	60
	64/3	0	5	50
	61फी	0	11	00
	61फी	0	11	00
	61/फी	0	10	00
	61/1फी	0	10	60
	61/3फी	0	20	00

1	2	3	4	5
सुधावादा (निरंतर)	55/1	0	11	80
	55/3	0	6	70
	56/1	0	2	30
	56/2	0	2	30
	56/3	0	2	40
	50/1	0	13	30
	50/2	0	13	60
	50/3	0	0	10
	50/4	0	7	00
	50/5	0	2	60
	50/6	0	4	20
	50/7	0	8	50
	50/8	0	0	40
	44/4	0	4	00
	44/5	0	4	00
	44/7	0	4	00
	44/8	0	4	00
	44/9	0	4	00
	44/10	0	4	00
	44/11	0	5	10
	38/4	0	1	80
	37/1	0	24	70
	37/4	0	5	00
	37/5	0	12	00
	37/8	0	2	00
	46	0	18	20
	36	0	19	80
	33/1	0	14	80
	33/2	0	0	90
	33/3	0	10	00
	33/4	0	20	10
	32/2	0	1	70
	31/1	0	9	80
	31/2	0	20	30
कुल		8	22	77
14. दुधिया	79/1	0	13	30
	79/2	0	30	00
	80/अ/3	0	19	70
	80/ब/2	0	18	00
	80/ब/3	0	10	00
	80/ब/6	0	31	80
	80/ब/7	0	39	00
कुल		1	61	80

तालुका : अंझालोद

जिला : दाहोद

राज्य : गुजरात

गाव का नाम	सर्वे नंबर	हेक्टर	क्षेत्रफल आरे	स्केर मी.
1	2	3	4	5
1. सुधारवसा	73/1	0	13	60
	73/2	0	9	40

1	2	3	4	5
सुधारलभा (निरंतर)	73/3	0	8	60
	73/4	0	9	60
	73/5	0	4	90
	73/7	0	2	30
	73/8	0	60	80
	71/6	0	5	50
	70/4	0	12	30
	70/5	0	13	40
	64	0	22	40
	65/1	0	33	30
	63/1	0	10	00
	65/2	0	58	10
	62/1	0	2	00
	65/3	0	61	00
	60/1	0	11	70
	60/2	0	9	70
	60/3	0	13	60
	58	0	29	90
	59/1	0	36	50
	54/1	0	25	00
	51/1	0	1	20
	51/2	0	1	90
	51/3	0	23	60
	51/4	0	0	70
	53/1	0	18	50
	52/1	0	2	30
	50/6	0	23	00
	50/5	0	0	40
	50/4	0	8	80
	50/3	0	8	30
	50/2	0	13	60
कुल		5	55	90
2. आंबा	377	0	25	10
	219	0	32	20
	378	0	44	20
	379	0	34	70
	217	0	51	70
	216	0	16	30
	214/2	0	17	50
	214/3	0	18	00
	395	0	64	90
	396/3	0	2	60
	396/5	0	3	50
	1	0	40	80
	2/3	0	5	40
	4/1	0	1	30
	178	0	48	50
	85	0	2	60
	6	0	18	80
	7	0	15	20
	8/1	0	16	00

1	2	3	4	5
आंश (निरंतर)	8/2	0	14	40
	9	0	30	90
	10/2	0	2	20
	172	0	17	00
	92	0	24	60
	93/1	0	17	10
	93/2	0	15	20
	94/1	0	13	20
	94/2	0	14	50
	95/2	0	19	50
	96	0	43	70
	97/2	0	21	00
	98	0	38	20
	99	0	42	00
	100	0	0	40
	101/1	0	21	00
	101/2	0	21	00
	105/1	0	57	50
	104/1	0	17	30
	104/2	0	17	00
	104/3	0	17	00
	104/4	0	17	00
	112	0	84	10
	113	0	43	40
कुल		10	68	50
3. मुण्घा	235	0	2	00
	234	0	97	40
	233	0	80	50
	229	0	28	30
	228	0	44	20
	219/2	0	24	50
	274/1	0	5	10
	220	0	45	50
	221	0	23	50
	222	0	1	40
	273	0	44	50
	271	0	3	40
	269	0	58	10
	268	0	20	00
	265	0	5	80
	263	0	20	40
	264	0	36	10
	7/1	0	10	90
	7/2	0	18	70
	16	0	36	40
	15	0	46	00
	14	0	1	90
	12	0	43	10
	13	0	11	00
	86	0	49	60
	87/7	0	9	40
	87/11	0	11	70
	87/10	0	1	20
	88	0	44	50
	89	0	45	10
	79	0	1	10
	78/5	0	24	60
	78/3	0	0	30

1	2	3	4	5
गुणा (नस्तर)	77	0	2	50
	70/1	0	41	40
	70/2	0	11	40
	72/2	0	41	50
कुल		9	92	80

तालुका : देवगढबारीया

जिला : दाहोद

राज्य : गुजरात

गाव का नाम	सर्वे नंबर	क्षेत्रफल		
		हेक्टर	आरे	स्क्वेर मी.
1	2	3	4	5
1. रेबारी	265	0	60	50
	271/1	0	18	00
	272/फी	0	3	00
	281	0	2	90
	282/1	0	27	60
	282/3	0	28	10
	285	0	17	90
	283	0	10	90
	12/फी	0	3	60
	14	0	53	90
	15	0	25	60
	18	0	7	40
	17/फी	0	22	00
	17/फी	0	53	00
कुल		3	23	40
2. सालिया	124	0	31	10
	140/2	0	35	80
	342/5	0	18	80
	342/4	0	11	90
	342/3	0	11	60
	342/2	0	18	20
	342/1	0	27	50
	143	0	6	30
	144	0	57	50
	347	0	19	80
	345	0	16	50
	153	0	83	40
	161	0	72	90
	327/1	0	29	70
	327/4	0	15	00
	325/4	0	2	00
	326/1	0	41	60
	325/3	0	3	60
	304/2	0	20	80
	305	0	67	30
	306	0	43	00
	307/1/4	0	8	60
	307/2	0	13	00
	309	0	22	80
	311/2	0	0	30
	310/2	0	26	10
	310/1	0	13	80
	295/2	0	16	19
	296/1	0	20	30
	296/6	0	3	80
	297	0	69	50
कुल		8	28	69

1	2	3	4	5
3. गुना	477	0	43	00
	478	0	5	80
	479	0	13	80
	480	0	8	30
	481	0	6	60
	482	0	11	60
	483/1	0	7	50
	483/2/की	0	34	60
	15	0	42	20
	17/की	0	34	10
	50/की	0	5	40
	51	0	35	10
	52/की	0	16	80
	49-50	0	1	00
	53/पार्ट	0	42	30
	54	0	38	70
	56	0	1	60
	57/की	0	40	30
	57/की	0	40	00
	111/की	0	49	10
	105/1	0	0	50
	110	0	0	40
	120/की	0	14	00
कुल		4	91	70
4. असाइली	3	0	16	60
	28/की	0	12	60
	28/की	0	11	00
	27/की	0	39	40
	5/3	0	67	00
	219	0	10	10
	6अ/की	0	7	70
	9	0	18	60
	12/1	0	23	90
	217/3	0	14	70
	217/4	0	1	80
	12/2+3	0	25	00
	13	0	41	30
	14	0	11	80
	195/2की	0	18	40
	192/1	0	35	60
	187/1की	0	15	70
	187/1की	0	37	50
	186	0	35	30
	185	0	2	60
	184/1	0	26	60
	182	0	25	20
	147/1	0	0	80
	147/2	0	25	50
	146	0	22	30
	139/1	0	0	60
	139/2	0	31	36
	225	0	44	17
	138/1	0	21	40
	138/2	0	13	60
	137	0	43	30
	136	0	8	60
कुल		6	99	70

1	2	3	4	5
5. तोयणी	297	0	66	20
	295	0	38	80
	294	0	31	90
	293	0	14	00
	280	0	2	60
	281+279	0	31	00
	278	0	20	00
	277	0	27	10
	276	0	31	00
	275	0	24	30
	274	0	0	10
	273	0	25	70
	272	0	7	30
	256+317/1की	0	39	10
	255/1	0	0	10
	255/2	0	18	60
	257/की	0	17	80
	261/1/अ	0	16	60
	261/2	0	0	60
	254	0	0	50
	262	0	2	10
	260	0	18	70
	263/1	0	30	70
	264	0	0	70
	265	0	51	10
	180/2+4+6	0	30	80
	180/3	0	50	00
	179	0	40	40
	182	0	1	50
	183/1+2	0	0	40
	183/3	0	19	20
	187	0	5	90
	186/की	0	25	60
	184	0	29	90
	185	0	29	60
	225	0	21	10
	224	0	39	70
	222/की	0	2	90
	222/की	0	1	00
	221	0	16	50
	220	0	0	10
	219/की	0	1	10
	218/की	0	7	70
कुल		8	40	00

[फा. सं. एल/14014/14/02-जी.पी.]

स्वामी सिंह, निदेशक

New Delhi, the 28th August, 2002

S. O. 2759.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O.301, dated the 1st February, 2002, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of regassified liquefied natural gas through the Jamnagar-Bhopal Pipeline Project from Jamnagar in the State of Gujarat to Bhopal in the State of Madhya Pradesh by Gas Transportation and Infrastructure Company Limited;

And whereas copies of the said Gazette notification were made available to the public on the 26th February, 2002;

And whereas the objections received from the public to the laying of the pipeline have been considered and disallowed by the competent authority;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest, on the date of publication of the declaration, in Gas Transportation and Infrastructure Company Limited free from all encumbrances.

SCHEDULE

Taluka : LIMKHEDA

District : DAHOD

State : Gujarat

Name of the Village	Survey No.	AREA		
		Hectare	Acre	Sq. Mtr.
1	2	3	4	5
1) NAVAVDIA	26	0	70	40
	27	0	25	60
	28	0	12	80
	48/1	0	31	50
	48/2	0	31	00
	31 P	0	9	20
	32	0	28	30
	33	0	22	10
	34	0	15	20
	35	0	0	50
	36	0	30	60
	37	0	27	60
	45	0	47	60
	46	0	46	70
	66 P	0	26	60
	61	0	12	70
	11	0	23	20
	55	0	3	30
	51	0	0	10
	52	0	14	50
	53	0	10	70
	54	0	0	40
TOTAL		4	90	60
2) MACHHELAI	55/1	0	2	70
	54	0	42	20
	203	0	39	90
	29	0	41	00
	27	0	2	60
	31	0	39	20
	32	0	18	80
	26/1	0	6	20
	26/3	0	6	20
	33	0	5	30
	25	0	12	20
	24	0	15	80
TOTAL		2	32	10
3) JUNAVADIA	41 P	0	4	30
	41 P	0	25	40
	41 P	0	48	90
	41 P	0	30	40
	24	0	18	00
	25 P	0	33	30
	28 P	0	54	40
	52	0	4	00

1	2	3	4	5
JUNAVADIA (Cont'd)	51	0	7	40
TOTAL		2	26	10
4) DAKARA	4/A/P	0	16	60
	3/ 1	0	22	20
TOTAL		0	38	80
5) SIGAPUR	19/1P	0	55	90
	19/1P	0	25	00
	19/1P	0	25	00
	19/1P	0	23	00
	19/1P	0	15	00
	19/1P	0	15	00
	19/1P	0	16	00
	18	0	3	30
TOTAL		1	38	20
6) PHOOLPARI	8	0	6	70
	31	0	6	20
	32	0	4	90
	33	0	44	30
	34	0	32	40
	29	0	65	30
	28/1	0	21	00
	28/2	0	21	00
	28/3	0	21	00
	28/4	0	22	10
	27	0	7	00
TOTAL		2	51	90
7) FATEPURA	15	0	22	00
	32	0	16	90
	31	0	21	40
	30	0	16	80
	29/1/A	0	16	40
	29/1/B	0	17	00
	28/1	0	26	70
	28/2	0	27	00
	27	0	41	50
	37	0	45	30
	38	0	43	90
TOTAL		2	94	90
8) JAMDARA	220	0	6	90
	215/2	0	12	00
	215/3	0	15	20
	215/4	0	12	00
	216/6	0	7	60
	214	0	32	40
	213	0	0	20
	210	0	24	70
	208/4	0	9	50
	208/3	0	20	10
	206/1	0	6	30
	206/2	0	6	00
	206/3	0	10	00

1	2	3	4	5
JAMDARA (Cont'd)	206/4	0	11	70
	206/5	0	10	10
	206/6	0	5	10
	206/7	0	4	10
	206/8	0	8	40
	206/10	0	5	60
	206/11	0	4	40
	206/12	0	2	20
	206/13	0	4	30
	205/1	0	21	10
	205/2	0	35	10
TOTAL		2	75	00
9) SATIFALIYA	65	0	25	40
	39	0	46	10
	64	0	39	60
	43	0	32	10
	45	0	16	30
	46	0	33	40
	47/1	0	3	60
	47/2	0	39	90
	47/3	0	12	70
	19	0	30	70
	72	0	12	30
	25	0	31	20
	26	0	4	80
	74	0	5	30
	73 Part	0	37	70
TOTAL		3	71	10
10) MOTI BANDIBAR	301/1	0	19	80
	301/2	0	2	20
	269/1	0	0	85
	275/2	0	19	10
	270/1	0	27	90
	270/2	0	24	10
	272	0	38	60
TOTAL		1	32	55
11) MOTIVAV	4	0	36	70
	3	0	16	10
	7	0	14	20
	8/2	0	66	60
	10	0	5	80
	17	0	5	10
	12	0	23	70
	13/1	0	13	80
	15/1	0	20	80
	15/2	0	29	20
	15/3	0	5	80
	14/1	0	0	20
	14/2	0	3	40
	14/3	0	7	40
	154	0	37	00

1	2	3	4	5
MOTIVAV (Cont'd)	156/2	0	13	20
	140 P	0	4	20
	140 P	0	4	30
	153	0	7	30
	159/1/A	0	20	10
	159/1/C	0	20	00
	162 Part	0	57	10
	161/2	0	1	10
	163	0	3	30
	166/1	0	36	60
	166/2/B	0	22	80
	169/2	0	5	00
	168/10	0	4	90
	168/9	0	7	20
	168/3	0	1	50
	168/4	0	11	50
	168/5	0	1	20
	174	0	29	70
	82/1	0	10	70
	82/4	0	1	50
	82/5	0	0	80
	204	0	36	90
	92/1 P	0	22	00
	205	0	39	30
	86/1	0	14	20
	86/2	0	18	40
	206	0	1	00
	182	0	21	90
	180	0	78	80
TOTAL		7	82	30
12) VANJARIA	73	0	6	60
	74	0	27	80
	75/1	0	4	40
	71	0	45	10
	70	0	15	30
	59	0	0	10
	60	0	5	40
	61 P	0	9	60
	62	0	16	00
	63	0	21	00
	64 P	0	25	30
	65	0	24	00
	66	0	17	70
	67	0	18	10
	68 P	0	27	00
	78 P	0	8	20
	79	0	7	60
TOTAL		2	79	20
13) LUKHAWADA	182/1	0	3	50
	194/1	0	0	60
	195/1	0	10	00

1	2	3	4	5
LUKHAWADA (Cont'd)	195/2	0	11	00
	195/3	0	11	00
	195/4	0	11	00
	195/5	0	11	00
	196/1P	0	0	40
	197/1	0	47	20
	197/2	0	20	90
	202/9	0	3	20
	201	0	27	80
	214/P	0	19	20
	214/P	0	19	30
	217/3	0	13	90
	217/4	0	5	60
	217/5	0	6	50
	217/6	0	4	80
	216/3	0	11	40
	216/4	0	3	20
	89/2	0	9	50
	89/3	0	4	30
	89/4	0	3	80
	90	0	16	00
	91/1/1	0	2	30
	91/1/2	0	5	00
	91/1/3	0	10	00
	91/3	0	6	07
	93/1	0	10	80
	93/2	0	0	80
	87/2	0	7	90
	87/3	0	10	60
	87/4	0	7	10
	86	0	16	90
	84P	0	4	60
	84P	0	4	00
	84P	0	4	00
	84P	0	4	00
	84P	0	4	00
	70/P	0	25	40
	70/2P	0	8	00
	69	0	15	90
	67/1/2P	0	0	40
	68/1	0	14	20
	68/2	0	15	00
	68/3	0	7	80
	64/1	0	20	80
	64/2	0	7	60
	64/3	0	5	50
	61P	0	11	00
	61P	0	11	00
	61/P	0	10	00
	61/1P	0	10	60
	61/3P	0	20	00

1	2	3	4	5
LUKHAWADA (Cont'd)	55/1	0	11	80
	55/3	0	6	70
	56/1	0	2	30
	56/2	0	2	30
	56/3	0	2	40
	50/1	0	13	30
	50/2	0	13	60
	50/3	0	0	10
	50/4	0	7	00
	50/5	0	2	60
	50/6	0	4	20
	50/7	0	8	50
	50/8	0	0	40
	44/4	0	4	00
	44/5	0	4	00
	44/7	0	4	00
	44/8	0	4	00
	44/9	0	4	00
	44/10	0	4	00
	44/11	0	5	10
	38/4	0	1	80
	37/1	0	24	70
	37/4	0	5	00
	37/5	0	12	00
	37/8	0	2	00
	46	0	18	20
	36	0	19	80
	33/1	0	14	80
	33/2	0	0	90
	33/3	0	10	00
	33/4	0	20	10
	32/2	0	1	70
	31/1	0	9	80
	31/2	0	20	30
TOTAL		8	22	77
14) DUDHIYA	79/1	0	13	30
	79/2	0	30	00
	80/A/3	0	19	70
	80/B/2	0	18	00
	80/B/3	0	10	00
	80/B/6	0	31	80
	80/B/7	0	39	00
TOTAL		1	61	80

Taluka : JHALOD

District : DAHOD

State : Gujarat

Name of the Village	Survey No.	AREA		
		Hectare	Are	Sq. Mtr.
1	2	3	4	5
1) SUTHARVASA	73/1	0	13	60
	73/2	0	9	40

1	2	3	4	5
SUTHARVASA (Cont'd)	73/3	0	8	60
	73/4	0	9	60
	73/5	0	4	90
	73/7	0	2	30
	73/8	0	60	80
	71/6	0	5	50
	70/4	0	12	30
	70/5	0	13	40
	64	0	22	40
	65/1	0	33	30
	63/1	0	10	00
	65/2	0	58	10
	62/1	0	2	00
	65/3	0	61	00
	60/1	0	11	70
	60/2	0	9	70
	60/3	0	13	60
	58	0	29	90
	59/1	0	36	50
	54/1	0	25	00
	51/1	0	1	20
	51/2	0	1	90
	51/3	0	23	60
	51/4	0	0	70
	53/1	0	18	50
	52/1	0	2	30
	50/6	0	23	00
	50/5	0	0	40
	50/4	0	8	80
	50/3	0	8	30
	50/2	0	13	60
TOTAL		5	55	90
2) AAMBA	377	0	25	10
	219	0	32	20
	378	0	44	20
	379	0	34	70
	217	0	51	70
	216	0	16	30
	214/2	0	17	50
	214/3	0	18	00
	395	0	64	90
	396/3	0	2	60
	396/5	0	3	50
	1	0	40	80
	2/3	0	5	40
	4/1	0	1	30
	178	0	48	50
	85	0	2	60
	6	0	18	80
	7	0	15	20
	8/1	0	16	00

1	2	3	4	5
AAMBA (Cont'd)	8/2	0	14	40
	9	0	30	90
	10/2	0	2	20
	172	0	17	00
	92	0	24	60
	93/1	0	17	10
	93/2	0	15	20
	94/1	0	13	20
	94/2	0	14	50
	95/2	0	19	50
	96	0	43	70
	97/2	0	21	00
	98	0	38	20
	99	0	42	00
	100	0	0	40
	101/1	0	21	00
	101/2	0	21	00
	105/1	0	57	50
	104/1	0	17	30
	104/2	0	17	00
	104/3	0	17	00
	104/4	0	17	00
	112	0	84	10
	113	0	43	40
TOTAL		10	68	50
3) MUNDHA	235	0	2	00
	234	0	97	40
	233	0	80	50
	229	0	28	30
	228	0	44	20
	219/2	0	24	50
	274/1	0	5	10
	220	0	45	50
	221	0	23	50
	222	0	1	40
	273	0	44	50
	271	0	3	40
	269	0	58	10
	268	0	20	00
	265	0	5	80
	263	0	20	40
	264	0	36	10
	7/1	0	10	90
	7/2	0	18	70
	16	0	36	40
	15	0	46	00
	14	0	1	90
	12	0	43	10
	13	0	11	00
	86	0	49	60
	87/7	0	9	40

1	2	3	4	5
MUNDHA (Cont'd)	87/11	0	11	70
	87/10	0	1	20
	88	0	44	50
	89	0	45	10
	79	0	1	10
	78/5	0	24	60
	78/3	0	0	30
	77	0	2	50
	70/1	0	41	40
	70/2	0	11	40
	72/2	0	41	50
TOTAL		9	92	80

Taluka : DEVGADBARIA

District : DAHOD

State : Gujarat

Name of the Village	Survey No.	AREA		
		Hectare	Are.	Sq. Mtr.
1	2	3	4	5
1. REBARI	265	0	60	50
	271/1	0	18	00
	272/P	0	3	00
	281	0	2	90
	282/1	0	27	60
	282/3	0	28	10
	285	0	17	90
	283	0	10	90
	12/P	0	3	60
	14	0	5	90
	15	0	25	60
	18	0	7	40
	17/P	0	22	00
	17/P	0	53	00
TOTAL		3	23	40
2 SALIYA	124	0	31	10
	140/2	0	35	80
	342/5	0	18	80
	342/4	0	11	90
	342/3	0	11	60
	342/2	0	18	20
	342/1	0	27	50
	143	0	6	30
	144	0	57	50
	347	0	19	80
	345	0	16	50
	153	0	83	40
	161	0	72	90
	327/1	0	29	70
	327/4	0	15	00
	325/4	0	2	00
	326/1	0	41	60

1	2	3	4	5
SALIYA (Cont'd)	325/3	0	3	60
	304/2	0	20	80
	305	0	67	30
	306	0	43	00
	307/1/4	0	8	60
	307/2	0	13	00
	309	0	22	80
	311/2	0	0	30
	310/2	0	26	10
	310/1	0	13	80
	295/2	0	16	19
	296/1	0	20	30
	296/6	0	3	80
	297	0	69	50
TOTAL		8	28	69
3. GUNA	477	0	43	00
	478	0	5	80
	479	0	13	80
	480	0	8	30
	481	0	6	60
	482	0	11	60
	483/1	0	7	50
	483/2/P	0	34	60
	15	0	42	20
	17/P	0	34	10
	50/P	0	5	40
	51	0	35	10
	52/P	0	16	80
	49-50	0	1	00
	53/Part	0	42	30
	54	0	38	70
	56	0	1	60
	57/P	0	40	30
	57/P	0	40	00
	111/P	0	49	10
	105/1	0	0	50
	110	0	0	40
	120/P	0	14	00
TOTAL		4	91	70
4. ASADI	3	0	16	60
	28/P	0	12	60
	28/P	0	11	00
	27/P	0	39	40
	5/3	0	67	00
	219	0	10	10
	6A/P	0	7	70
	9	0	18	60
	12/1	0	23	90
	217/3	0	14	70
	217/4	0	1	80
	12/2+3	0	25	00

1	2	3	4	5
ASAI DI (Cont'd)	13	0	41	30
	14	0	11	80
	195/2P	0	18	40
	192/1	0	35	60
	187/1P	0	15	00
	187/1P	0	37	50
	186	0	35	30
	185	0	2	60
	184/1	0	26	60
	182	0	25	20
	147/1	0	0	80
	147/2	0	25	50
	146	0	22	30
	139/1	0	0	60
	139/2	0	31	36
	225	0	44	10
	138/1	0	21	90
	138/2	0	13	60
	137	0	43	30
	136	0	8	60
TOTAL		6	99	70
5. TOYANI	297	0	66	20
	295	0	38	80
	294	0	31	90
	293	0	14	00
	280	0	2	60
	281+279	0	31	00
	278	0	20	00
	277	0	27	10
	276	0	31	00
	275	0	24	30
	274	0	0	10
	273	0	25	70
	272	0	7	30
	256+317/1P	0	39	10
	255/1	0	0	10
	255/2	0	18	60
	257/P	0	17	80
	261/1/A	0	16	60
	261/2	0	0	60
	254	0	0	50
	262	0	2	10
	260	0	18	70
	263/1	0	30	70
	264	0	0	70
	265	0	51	10
	180/2+4+6	0	30	80
	180/3	0	50	00
	179	0	40	40
	182	0	1	50
	183/1+2	0	0	40

1	2	3	4	5
TOYANI (Cont'd)	183/3	0	19	20
	187	0	5	90
	186/P	0	25	60
	184	0	29	90
	185	0	29	60
	225	0	21	10
	224	0	39	70
	222/P	0	2	90
	222/P	0	1	00
	221	0	16	50
	220	0	0	10
	219/P	0	1	10
	218/P	0	7	70
TOTAL		8	40	00

[No. L.14014/1402-G.P.]
SWAMI SINGH, Director

नई दिल्ली, 28 अगस्त, 2002

का. जा. 2760.— केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत के राजपत्र, भाग II, खण्ड-3 उप-खण्ड (ii) तारीख 7 जुलाई, 2001 पृष्ठ 3167-3178 में प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का. आ. 1537 तारीख 3 जुलाई, 2001 में निम्नलिखित रीति से संशोधन करती है, अर्थात् :-

उक्त अधिसूचना में निम्नलिखित शीर्षकों के अधीन

(अ) ग्राम : गोठियाना

I पृष्ठ 3168 पर, खसरा संख्या 223 के सामने "0-08-96" क्षेत्रफल के स्थान पर "0-17-16" क्षेत्रफल रखा जाएगा;

II पृष्ठ 3169 पर

1. खसरा संख्या 971 के सामने "0-09-59" क्षेत्रफल के स्थान पर "0-18-48" क्षेत्रफल रखा जाएगा;

2. खसरा संख्या 902 के सामने "0-17-88" क्षेत्रफल के स्थान पर "0-21-63" क्षेत्रफल रखा जाएगा;

(आ) ग्राम : झिरोता

पृष्ठ 3170 पर

1. खसरा संख्या 287 के सामने "0-16-33" क्षेत्रफल के स्थान पर "0-17-17" क्षेत्रफल रखा जाएगा;

2. खसरा संख्या 196 के सामने "0-03-77" क्षेत्रफल के स्थान पर "0-07-02" क्षेत्रफल रखा जाएगा;

[फा. सं. आर-25011/12/2001-ओ.आर-1]

म.एस. केमवाल, अवर सचिव

New Delhi, the 28th August, 2002

S. O. 2760.— In exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby amends the notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 1537 dated the 3rd July, 2001 published in the Gazette of India, Part-II, Section 3, sub-section (ii) at pages 3167 to 3178 on 7th July, 2001 in the following manner, namely :-

In the said notification in SCHEDULE, under the headings :-

A. Village : GOTHYANA :-

- I **At Page 3174** against Khasara No. 223 for the area "0-08-96" the area "0-17-16" shall be substituted ;
- II **At Page 3175-**
 1. against Khasara No. 791 for the area "0-09-59" the area "0-18-48" shall be substituted ;
 2. against Khasara No. 902 for the area "0-17-88" the area "0-21-63" shall be substituted ;

B. Village : ZIROTA :-

- I **At Page 3176-**
 1. against Khasara No. 287 for the area "0-16-33" the area "0-17-17" shall be substituted ;
 2. against Khasara No. 196 for the area "0-03-77" the area "0-07-02" shall be substituted ;

[No. R-25011/12/2001-O.R.-I]
S S. KEMWAL, Under Secy

नई दिल्ली, 28 अगस्त, 2002

का. आ. 2761.— केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्ज (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत के राजपत्र, भाग II, खण्ड-3 उप-खण्ड (II) तारीख 1 दिसम्बर, 2001 पृष्ठ 7070-7091 पर प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का. आ. 3261 तारीख 28 नवम्बर, 2001 में निम्नलिखित रीति से संशोधन करती है, अर्थात् :-

उक्त अधिसूचना में निम्नलिखित शीर्षकों के अधीन

पृष्ठ 7071 पर ग्राम : आम्बा

1. खसरा संख्या 260 के सामने, क्षेत्रफल '0-08-88' के स्थान पर '0-09-90' रखें;

पृष्ठ 7073 पर ग्राम : चन्द्रावती

1. खसरा संख्या 556 के सामने, क्षेत्रफल '0-17-34' के स्थान पर '0-18-97' रखें;

पृष्ठ 7077 पर ग्राम : ओड

1. खसरा संख्या 229 के सामने, क्षेत्रफल '0-00-39' के स्थान पर '0-01-39' रखें;

[फा. सं. आर-25011/46/2001-ओ.आर-I]

एस.एस. केमवाल, अवर सचिव

New Delhi, the 28th August, 2002

S. O. 2761.— In exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby amends the notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 3261 dated 28th November, 2001 published in the Gazette of India, Part-II, Section 3, sub-section (ii) at pages 7070 to 7091 on 1st December, 2001 in the following manner, namely :-

In the said notification, under the heading :

a) **Village : AMBA at Page 7082**

against Khasara No. 260 for the area 0-08-88 substitute 0-09-90;

b) **Village : CHANDRAWATI at Page 7084**

against Khasara No. 556 for the area 0-17-34 substitute 0-18-97;

c) **Village : ODE at Page 7088**

against Khasara No. 229 for the area 0-00-39 substitute 0-01-39;

[फा. सं. आर-25011/46/2001-ओ.आर.-I]
S.S. KEWAL, Under Secy.

नई दिल्ली, 28 अगस्त, 2002

का.आ. 2762.- केन्द्रीय सरकार, को लोक हित में यह आवश्यक प्रतीत होता है कि गुजरात राज्य में विरमगाम से हरियाणा राज्य में पानीपत तक राजस्थान राज्य में चाकसू से होती हुई अपरिष्कृत तेल के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा "सलाया-मथूरा पाइपलाइन प्रणाली के विरमगाम-चाकसू, चाकसू-पानीपत और चाकसू-मथूरा सेक्शनों के संवर्द्धन" के कार्यान्वयन हेतु एक पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, और जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा पदत शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती है, इक्कीस दिन के भीतर उसमें उपयोग के अधिकार का अर्जन करने या भूमि के नीचे पाइपलाइन बिछाने के संबंध में श्री सुनील शर्मा, सक्षम प्राधिकारी, सलाया-मथूरा पाइपलाइन (संवर्द्धन) परियोजना, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, 33, मुक्तानंद नगर, गोपालपुरा बाई-पास, जयपुर राजस्थान-302 018 को लिखित रूप में आक्षेप, कर सकेगा।

अनुसूची

महसिल : आबू रोड		जिला : सिराही		राज्य : राजस्थान	
गाँव का नाम	खसरा सं.	क्षेत्रफल			
		हेक्टेयर	एयर	वर्ग मीटर	
1	2	3	4	5	
आम्बा	263	0	00	20	
सांतपुर	884	0	03	20	
	883	0	09	38	
	857	0	02	64	
	855	0	02	11	
	856	0	14	08	
	854/1	0	00	63	
	854 मिन	0	00	20	
	852	0	00	55	

1	2	3	4	5
	653/2	0	05	87
	653/1	0	04	28
	653 मिन	0	08	82
	656	0	06	59
	658	0	04	63
	659	0	02	86
	661	0	02	04
	662	0	00	94
खंडात	558	0	01	07
किचरली	944	0	07	42
	764	0	00	20

[फा. सं. आर-25011/46/2001-ओ.आर-I]

एस.एस. केमबल, अवर सचिव

New Delhi, the 28th August, 2002

S. O. 2762.—Whereas, it appears to the Central Government that it is necessary in the public interest that for the transportation of Crude Oil from Viramgam in the State of Gujarat to Panipat in the State of Haryana via Chaksu in the State of Rajasthan, a pipeline may be laid by the Indian Oil Corporation Limited for implementing the "Augmentation of Viramgam – Chaksu, Chaksu – Panipat and Chaksu – Mathura sections of Salaya – Mathura Pipeline System".

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule, may, within twenty one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to Shri.Sunil Sharma, Competent Authority, Salaya-Mathura Pipeline (Augmentation) Project, Indian Oil Corporation Limited, 33, Muktanand Nagar, Gopal Pura Bye-Pass, Jaipur – 302 018.

SCHEDULE

Tehsil : ABU ROAD		District : SIROHI		State : RAJASTHAN	
Name of the Village	Khasara No.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
AMBA	263	0	00	20	
SANTPUR	884	0	03	20	
	883	0	09	38	
	857	0	02	64	
	855	0	02	11	
	856	0	14	08	
	854/1	0	00	63	
	854 Min	0	00	20	
	852	0	00	55	
	653/2	0	05	87	
	653/1	0	04	28	
	653 Min	0	08	82	
	656	0	06	59	
	658	0	04	63	
	659	0	02	86	
	661	0	02	04	
	662	0	00	94	
KHADAT	558	0	01	07	
KIWARLI	944	0	07	42	
	764	0	00	20	

[No. R-25011/46/2001-O.R.-I]
S S KEMWAL, Under Secy.

नई दिल्ली, 28 अगस्त, 2002

का. आ. 2763.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 3261 तारीख 28 नवम्बर, 2001 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट राजस्थान राज्य की तहसील आबू रोड, जिला सिरोही की भूमि में, सलाया-मथुरा पाइपलाइन प्रणाली परियोजना के विरमगाम-चाकसू, चाकसू-पानीपत और चाकसू-मथुरा सेक्शनों के संवर्धन के कार्यान्वयन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड राजस्थान राज्य में चाकसू से होकर गुजरात राज्य में विरमगौंव से हरियाणा में पानीपत तक अपरिष्कृत तेल के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के लिए अपने आशय की घोषणा की थी;

और उक्त अधिसूचना की प्रतियाँ साधारण जनता को तारीख 14 दिसम्बर, 2001 को उपलब्ध करा दी गई थी;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और, केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित किया जाए ;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित किया जाता है।

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लंगमों से मुक्त इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : आबू रोड		जिला : सिरोंही		राज्य : राजस्थान	
गाँव का नाम	खसरा सं.	क्षेत्रफल			
		हेक्टेयर	एयर	वर्ग मीटर	
1	2	3	4	5	
खारा	78	0	02	19	
	79	0	09	10	
	82	0	00	32	
	83	0	24	21	
	90	0	08	91	
	89	0	15	58	
	86	0	00	24	
	99	0	00	62	
	100	0	15	79	
	111	0	01	08	
	123	0	06	38	
	122	0	06	13	
	114	0	00	34	
	116	0	18	00	
	186	0	26	64	
	173	0	04	68	
	178	0	20	10	
	177	0	00	20	
आम्बा	257	0	12	56	
	259	0	02	20	
	289	0	04	99	
	249	0	04	54	
	188	0	01	07	
	235	0	05	52	
	189	0	01	86	
	206	0	04	73	
	207	0	04	90	
	208	0	07	75	

1	2	3	4	5
	209	0	00	20
	212	0	06	01
	211	0	08	62
	383	0	10	72
	382	0	02	07
	378	0	01	40
	374	0	16	77
	376	0	02	85
	525	0	00	20
	527	0	14	52
	522	0	11	94
	506	0	01	18
	505	0	05	87
	504	0	06	95
	503	0	07	31
	500	0	13	01
	501	0	09	53
	494	0	00	63
चन्द्रावती	507	0	00	53
	504	0	06	77
	502	0	15	25
	508	0	13	11
	493	0	10	92
	494	0	04	70
	492	0	01	15
	490	0	24	06
	489	0	08	38
	520	0	20	90
	533	0	10	10
	532	0	01	26
	535	0	06	95
	536	0	12	60
	539	0	00	53

1	2	3	4	5
	540	0	05	06
	541	0	00	20
	543	0	01	77
	542	0	08	98
	545	0	00	62
	546	0	06	48
	547	0	02	07
	549	0	06	94
	550	0	01	62
	555	0	03	53
	581	0	06	55
	657	0	04	63
	656	0	15	51
	654	0	00	20
	653	0	24	69
	647	0	01	21
	646	0	13	05
	639	0	17	43
	640	0	00	20
	638	0	07	57
	631	0	07	18
	630	0	00	20
	610	0	02	44
	608	0	00	20
	609	0	07	46
	604	0	12	44
	614	0	00	20
	603	0	07	56
	616	0	01	35
	598	0	09	37
	602	0	01	38
	599	0	02	65

1	2	3	4	5
	594	0	23	09
	410	0	13	12
	407	0	00	33
सियावा	21	0	22	95
	19	0	07	78
	17	0	10	16
	16	0	07	40
	14	0	07	33
	10	0	15	74
	25	0	09	95
	86	0	18	78
	84	0	01	18
	91	0	12	40
	87	0	00	78
	90	0	00	44
	89	0	12	79
	207	0	11	86
सांतपुर	1328	0	10	34
	997	0	10	34
कुई	517	0	32	88
	518	0	03	47
	516	0	33	07
	511	0	08	77
	509	0	12	90
	500	0	15	50
	407	0	02	21
	408	0	03	38
	409	0	00	20
	405	0	00	20
	404	0	01	82
	403	0	02	41
	399	0	07	21
	400	0	00	20
	391	0	12	12
	390	0	00	20

1	2	3	4	5
	392	0	00	20
	387	0	07	41
	388	0	01	82
	382	0	09	95
	383	0	00	20
	381	0	00	22
	373	0	00	27
	380	0	08	75
	374 मिन्न	0	12	83
	359 मिन्न	0	08	06
	351	0	06	40
	349	0	04	22
	350	0	07	38
	322	0	07	95
	323	0	06	91
	324	0	09	87
	302	0	10	87
	303	0	01	35
	299	0	00	80
	283	0	16	72
	282	0	01	49
	273	0	00	20
	281	0	11	61
	275	0	02	00
	274	0	03	92
	71	0	15	86
	75	0	20	67
	83	0	00	20
	7	0	10	02
	5	0	48	56
	2	0	01	25
तरतोली	398	0	08	97
	396	0	00	20
	394	0	14	87
	355	0	23	41

1	2	3	4	5
	336	0	26	64
	335	0	32	08
	327	0	34	77
	328	0	00	45
	326	0	18	36
	325	0	03	46
	324	0	11	23
	322/1	0	05	88
	322 मिन	0	06	65
	260 मिन	0	00	20
	257	0	05	28
	258	0	02	64
	357	0	28	92
	358	0	18	18
	360	0	07	76
	359	0	09	51
खंडात	563	0	12	72
	566 मिन	0	13	33
	567	0	11	94
	582	0	05	44
	559	0	08	91
	545	0	05	61
	544	0	00	20
	218	0	06	77
	219	0	11	40
	221	0	09	68
	222	0	12	11
	223	0	00	48
	220	0	00	20
	227	0	28	60
	229	0	00	20
	226	0	00	20
	228	0	16	16
	251	0	16	48
	252	0	17	29

1	2	3	4	5
	253	0	14	74
	254	0	01	78
	271	0	14	12
	670/146	0	22	09
	671/146	0	08	95
	138	0	04	50
	137	0	08	80
	136	0	05	70
	135	0	03	86
	124	0	07	88
	119	0	07	01
	117	0	09	97
	116	0	00	60
ओड	311	0	14	02
	308	0	09	39
	306	0	11	47
	300	0	00	20
	298	0	09	53
	295	0	01	45
	287	0	07	11
	286	0	08	05
	284	0	05	40
	224	0	02	75
	214	0	12	45
	215	0	09	78
	216	0	10	68
	210	0	09	40
	197	0	18	25
	198	0	03	13
	196	0	09	69
	195	0	05	73
	194	0	06	44
	193	0	10	51
	192	0	00	20

1	2	3	4	5
	191	0	14	76
	187	0	02	94
	186	0	08	40
	26	0	10	30
	27	0	00	20
	28	0	05	25
	30	0	03	84
	13	0	01	11
	14	0	05	02
	12	0	09	78
	11	0	07	46
	1	0	06	56
मोस्थला	56	0	15	23
	50	0	01	29
	51	0	07	33
	48	0	00	40
	46	0	08	24
	45	0	09	60
	13	0	05	12
	12	0	06	56
	8	0	08	66
विजयली	1320	0	01	64
	1316	0	04	23
	1321	0	07	10
	1315	0	00	26
	1314	0	11	07
	1303/1	0	05	13
	1302	0	05	73
	1301	0	06	43
	1300	0	04	44
	1292	0	10	36
	1286	0	07	39
	1287	0	06	74
	1288	0	12	38
	1273	0	08	62

1	2	3	4	5
	1271	0	03	09
	1270	0	07	18
	1257	0	07	88
	1258	0	00	20
	1243	0	05	16
	1242	0	04	83
	1241	0	08	21
	1235	0	02	98
	1234	0	05	40
	1233	0	05	27
	1199/1	0	04	70
	1199/2	0	04	18
	1232	0	01	99
	1202	0	06	11
	1203	0	02	15
	1204	0	01	32
	906	0	00	20
	905	0	08	75
	911	0	03	60
	910	0	07	73
	920	0	07	07
	923	0	00	20
	926	0	02	43
	925	0	05	15
	929	0	08	24
	943	0	01	03
	992	0	03	73
	993	0	02	32
	988	0	00	27
	989	0	07	01
	979	0	05	98
	978	0	05	92
	964	0	17	84
	963	0	02	37
	965	0	00	79

1	2	3	4	5
	962	0	00	81
	847	0	08	29
	848	0	07	26
	851	0	02	10
	854	0	00	45
	852	0	01	26
	853	0	01	74
	856	0	12	21
	833	0	02	57
	832	0	00	22
	831	0	01	84
	779	0	01	00
	780	0	00	20
	789	0	19	43
	781	0	00	20
	782	0	10	89
	783	0	00	22
	774	0	01	35
	771	0	13	38
	765	0	02	00
	772	0	02	32
	536	0	02	81
	558	0	18	53
	557	0	09	44
	564 मिन	0	10	91
	568 मिन	0	07	76
	569	0	15	96

[फा. सं. आर-25011/46/2001-ओ.आर-I]
 एस.एस. केमवाल, अवर सचिव

New Delhi, the 28th August, 2002

S. O. 2763.— Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 3261 dated 28.11.2001 issued under sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land in Tehsil : Abu Road, District : Sirohi in Rajasthan State, specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of Crude Oil from Viramgam in the State of Gujarat to Panipat in the State of Haryana via Chaksu in the State of Rajasthan by the Indian Oil Corporation Limited for implementing the Augmentation of Viramgam - Chaksu, Chaksu - Panipat & Chaksu - Mathura sections of Salaya - Mathura Pipeline System Project ;

And whereas, copy of the said notification was made available to the general public on 14.12.2001

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted his report to the Central Government;

And whereas, the Central Government, after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this Notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land shall instead of vesting in the Central Government, vests from the date of publication of this declaration, in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE

Tehsil : ABU ROAD		District : SIROHI		State : RAJASTHAN	
Name of the Village	Khasara No.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
KHARA	78	0	02	19	
	79	0	09	10	
	82	0	00	32	
	83	0	24	21	
	90	0	08	91	
	89	0	15	58	
	86	0	00	24	
	99	0	00	62	
	100	0	15	79	
	111	0	01	08	
	123	0	06	38	
	122	0	06	13	
	114	0	00	34	
	116	0	18	00	
	186	0	28	64	
	173	0	04	68	
	178	0	20	10	
	177	0	00	20	
AMBA	257	0	12	56	
	259	0	02	20	
	269	0	04	99	
	249	0	04	54	
	188	0	01	07	
	235	0	05	52	
	189	0	01	86	
	206	0	04	73	
	207	0	04	90	
	208	0	07	75	

1	2	3	4	5
	209	0	00	20
	212	0	06	01
	211	0	08	62
	383	0	10	72
	382	0	02	07
	378	0	01	40
	374	0	16	77
	376	0	02	85
	525	0	00	20
	527	0	14	52
	522	0	11	94
	506	0	01	18
	505	0	05	87
	504	0	06	95
	503	0	07	31
	500	0	13	01
	501	0	09	53
	494	0	00	63
CHANDRAWATI	507	0	00	53
	504	0	06	77
	502	0	15	25
	508	0	13	11
	493	0	10	92
	494	0	04	70
	492	0	01	15
	490	0	24	06
	489	0	08	38
	520	0	20	90
	533	0	10	10
	532	0	01	26
	535	0	06	95
	536	0	12	60
	539	0	00	53

1	2	3	4	5
	540	0	05	06
	541	0	00	20
	543	0	01	77
	542	0	08	98
	545	0	00	62
	546	0	06	48
	547	0	02	07
	549	0	06	94
	550	0	01	62
	555	0	03	53
	581	0	06	55
	657	0	04	63
	656	0	15	51
	654	0	00	20
	653	0	24	69
	647	0	01	21
	648	0	13	05
	639	0	17	43
	640	0	00	20
	638	0	07	57
	631	0	07	18
	630	0	00	20
	610	0	02	44
	608	0	00	20
	609	0	07	46
	604	0	12	44
	614	0	00	20
	603	0	07	56
	616	0	01	35
	598	0	09	37
	602	0	01	38
	599	0	02	65

1	2	3	4	5
	594	0	23	09
	410	0	13	12
	407	0	00	33
SIYAWA	21	0	22	95
	19	0	07	78
	17	0	10	16
	16	0	07	40
	14	0	07	33
	10	0	15	74
	25	0	09	95
	86	0	18	78
	84	0	01	18
	91	0	12	40
	87	0	00	78
	90	0	00	44
	89	0	12	79
	207	0	11	56
SANTPUR	1328	0	10	34
	997	0	10	34
KUI	517	0	32	88
	518	0	03	47
	516	0	33	07
	511	0	08	77
	509	0	12	90
	500	0	15	50
	407	0	02	21
	408	0	08	38
	409	0	00	20
	405	0	00	20
	404	0	01	92
	403	0	02	41
	399	0	07	21
	400	0	00	20
	391	0	12	12
	390	0	00	20

1	2	3	4	5
	392	0	00	20
	387	0	07	41
	388	0	01	82
	382	0	09	95
	383	0	00	20
	381	0	00	22
	373	0	00	27
	380	0	08	75
	374 Min	0	12	83
	359 Min	0	08	06
	351	0	06	40
	349	0	04	22
	350	0	07	38
	322	0	07	95
	323	0	06	91
	324	0	09	87
	302	0	10	87
	303	0	01	35
	299	0	00	80
	283	0	16	72
	282	0	01	49
	273	0	00	20
	281	0	11	61
	275	0	02	00
	274	0	03	92
	71	0	15	86
	75	0	20	67
	83	0	00	20
	7	0	10	02
	5	0	48	56
	2	0	01	25
TARTOLI	398	0	08	97
	396	0	00	20
	394	0	14	87
	355	0	23	41

1	2	3	4	5
	336	0	26	64
	335	0	32	08
	327	0	34	77
	328	0	00	45
	326	0	18	36
	325	0	03	46
	324	0	11	23
	322/1	0	05	88
	322 Min	0	06	65
	260 Min	0	00	20
	257	0	05	28
	258	0	02	64
	357	0	28	92
	358	0	18	18
	360	0	07	76
	359	0	09	51
KHADAT	563	0	12	72
	566 Min	0	13	33
	567	0	11	94
	582	0	05	44
	559	0	08	91
	545	0	05	61
	544	0	00	20
	218	0	06	77
	219	0	11	40
	221	0	09	68
	222	0	12	11
	223	0	00	48
	220	0	00	20
	227	0	28	60
	229	0	00	20
	226	0	00	20
	228	0	16	16
	251	0	16	48
	252	0	17	29

1	2	3	4	5
	253	0	14	74
	254	0	01	78
	271	0	14	12
	670/146	0	22	09
	671/146	0	08	95
	138	0	04	50
	137	0	08	80
	136	0	05	70
	135	0	03	86
	124	0	07	88
	119	0	07	01
	117	0	09	97
	116	0	00	60
ODE	311	0	14	02
	308	0	09	39
	306	0	11	47
	300	0	00	20
	298	0	09	53
	295	0	01	45
	287	0	07	11
	286	0	08	05
	284	0	05	40
	224	0	02	75
	214	0	12	45
	215	0	09	78
	216	0	10	68
	210	0	09	40
	197	0	18	25
	198	0	03	13
	196	0	09	69
	195	0	05	73
	194	0	06	44
	193	0	10	51
	192	0	00	20

1	2	3	4	5
	191	0	14	76
	187	0	02	94
	186	0	08	40
	26	0	10	30
	27	0	00	20
	28	0	05	25
	30	0	03	84
	13	0	01	11
	14	0	05	02
	12	0	09	78
	11	0	07	46
	1	0	06	56
MORTHALA	56	0	15	23
	50	0	01	29
	51	0	07	33
	48	0	00	40
	46	0	08	24
	45	0	09	60
	13	0	05	12
	12	0	06	56
	8	0	08	66
	1320	0	01	64
KIWARLI	1316	0	04	23
	1321	0	07	10
	1315	0	00	26
	1314	0	11	07
	1303/1	0	05	13
	1302	0	05	73
	1301	0	06	43
	1300	0	04	44
	1292	0	10	36
	1286	0	07	39
	1287	0	06	74
	1288	0	12	38
	1273	0	08	62

1	2	3	4	5
	1271	0	03	09
	1270	0	07	18
	1257	0	07	88
	1258	0	00	20
	1243	0	05	16
	1242	0	04	83
	1241	0	08	21
	1235	0	02	98
	1234	0	05	40
	1233	0	05	27
	1199/1	0	04	70
	1199/2	0	04	18
	1232	0	01	99
	1202	0	06	11
	1203	0	02	16
	1204	0	01	32
	906	0	00	20
	905	0	08	75
	911	0	03	80
	910	0	07	73
	920	0	07	07
	923	0	00	20
	926	0	02	43
	925	0	05	15
	929	0	08	24
	943	0	01	03
	992	0	03	73
	993	0	02	32
	988	0	00	27
	989	0	07	01
	979	0	05	98
	978	0	05	92
	964	0	17	84
	963	0	02	37
	965	0	00	79

1	2	3	4	5
	962	0	00	81
	847	0	08	29
	848	0	07	26
	851	0	02	10
	854	0	00	45
	852	0	01	26
	853	0	01	74
	856	0	12	21
	833	0	02	57
	832	0	00	22
	831	0	01	84
	779	0	01	00
	780	0	00	20
	789	0	19	43
	781	0	00	20
	782	0	10	89
	783	0	00	22
	774	0	01	35
	771	0	13	38
	765	0	02	00
	772	0	02	32
	536	0	02	81
	558	0	18	53
	557	0	09	44
	564 Min	0	10	91
	568 Min	0	07	76
	569	0	15	96

[No. R-25011/46/2001-O.R.-I]
S.S. KEMWAL, Under Secy.

नई दिल्ली, 28 अगस्त, 2002

का. आ. 2764.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उप धारा (1) के अधीन जारी और राजपत्र में 6.4.2002 को प्रकाशित की गई भारत सरकार के पेट्रोलियम व प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का. आ. 1147 तारीख 20.3.2002 द्वारा उत्तर प्रदेश राज्य में मथुरा से दूण्डला तक पेट्रोलियम उत्पादों के परिवहन के लिये इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन शाखा बिछाने के प्रयोजन के लिए उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन करने के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 22.04.2002 से उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए ;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है ;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमि के उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने की बजाय सभी बिल्लिंगों से मुक्त इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : ऐत्मादपुर		जिला : आगरा		राज्य : उत्तर प्रदेश	
गांव का नाम	खसरा सं०	क्षेत्रफल			
		हेक्टेयर	आर	वर्गमीटर	
1	2	3	4	5	
धौरऊ	222	00	5	02	
	230	00	1	00	
	231	00	10	05	
	232	00	01	67	
	233	00	01	67	
	234	00	01	67	
	236	00	04	36	
	258	00	11	04	
	259	00	02	68	
	263	00	10	75	
	264	00	06	70	
	277	00	08	05	
	गुड़ा	825	00	06	37
धरैरा	664	00	10	04	
	665	00	15	92	
तहसील व जिला - मथुरा					
नगला गुखरौली	330	0	10	39	
	720	0	04	70	
तहसील - सादाबाद, जिला हाथरस					
मिढावली	2690	0	02	76	
	2691	0	02	77	
	2700	0	01	50	

[ज.सं. आर-31015/37/2000-ओ.आर-I(भाग)]

एस.एस. केमवाल, अवर सचिव

New Delhi, the 28th August, 2002

S. O. 2764.— Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 1147 dated the 20.03.2002 issued under sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the Gazette of India dated 06.04.2002, the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that Notification for the purpose of laying branch pipeline for the transportation of petroleum products from Mathura to Tundla in the State of Uttar Pradesh by the Indian Oil Corporation Limited;

And whereas, the copies of the said gazette notification were made available to the public from 22.04.2002;

And whereas, the competent authority in pursuance of sub-section (1) of section 6 of the said Act, has submitted his report to the Central Government ;

And whereas, the Central Government, after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired ;

And further, in exercise of powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of users in the said land shall instead of vesting in the Central Government, vest from the date of publication of this declaration in the Indian Oil Corporation Limited, free from all encumbrances.

Schedule

Tehsil - Eitmadpur		District - Agra		State - Uttar Pradesh	
Name of Village	Khasra No.	Area			
		Hectare	Are	Square Metre	
1	2	3	4	5	
Dhaurau	222	00	5	02	
	230	00	1	00	
	231	00	10	05	
	232	00	01	67	
	233	00	01	67	
	234	00	01	67	
	236	00	04	36	
	258	00	11	04	
	259	00	02	68	
	263	00	10	75	
	264	00	06	70	
	277	00	08	05	
Gurha	825	00	06	37	
Dharera	664	00	10	04	
	665	00	15	92	
Tehsil & District - Mathura					
Nagla Gukhraul	330	0	10	39	
	720	0	04	70	
Tehsil - Sadabad, District - Hathras					
Mirhawali	2690	0	02	76	
	2691	0	02	77	
	2700	0	01	50	

[No. R-31015/37/2000-O.R.-I(Part)]
S.S. KEMWAL, Under Secy.

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

नई दिल्ली, 19 अगस्त, 2002

का.आ. 2765.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल अपनी यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स लक्ष्मी मेटल इंडस्ट्रीज, 15, मनुपंचाल एस्टेट, इंदिरानगर के समीप, अमराईवाडी, अहमदाबाद-380026 द्वारा विनिर्मित उच्च यथार्थता वर्ग (यथार्थता वर्ग II) वाले "ए पी टी" श्रृंखला के अस्वच्छालित अंकक सूचन सहित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "अपटेक" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/285 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल (आकृति देखें) उच्च यथार्थता वर्ग (यथार्थता वर्ग II) का अंकक सूचन सहित (टेबल टॉप प्रकार) का स्ट्रैन गॉज लोड सेल आधारित अस्वच्छालित तोलन उपकरण है। जिसकी अधिकतम क्षमता 20 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान (ई) का मान 2 ग्राम है। प्रदर्श इकाई प्रकाश उत्सर्जक डायोड की है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी श्रृंखला के उसी मेक, उसी यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि.ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 1 मि. ग्राम से 50 मि.ग्रा. "ई" मान के लिए 100 से 50,000 की श्रेणी में और सत्यापन मापमान अन्तराल (एन) की संख्या 100 मि. ग्राम या अधिक है "ई" मान के लिए 5000 से 50,000 की श्रेणी में है तथा जिनका "ई" मान $1 \times 10^*$, $2 \times 10^*$ और $5 \times 10^*$ हैं जिसमें के घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फ. सं. डब्ल्यू. एम.-21(79)/99]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

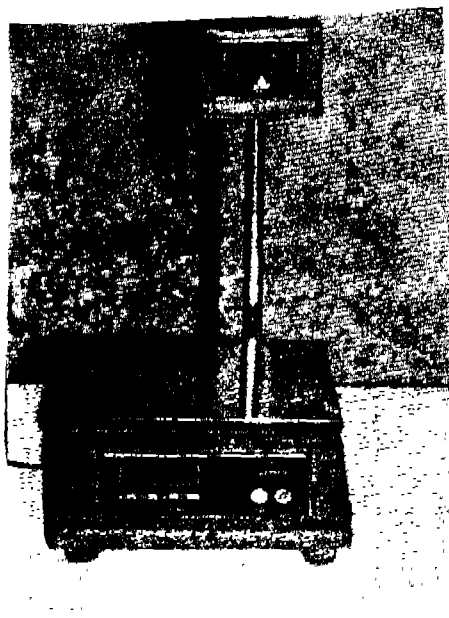
MINISTRY OF CONSUMER AFFAIRS, FOOD & PUBLIC DISTRIBUTION**(Department of Consumer Affairs)**

New Delhi, the 19th August, 2002

S.O. 2765.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions ;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby publishes the Certificate of approval of model of non-automatic weighing instrument (Table Top type) with digital indication (hereinafter referred to as the Model), belonging to High accuracy class (Accuracy class II) of 'APT' series with brand name 'APTECH' manufactured by M/s. Laxmi Metal Industries, 15, Manupanchal Estate, Near Indiranagar, Amaraiwadi, Ahmedabad-380026 and which is assigned the approval mark IND/09/00/285;

The said Model (see the figure given below) is a strain, gauge load cell based non-automatic weighing instrument (Table Top type) with digital indication of maximum capacity 20 Kg. minimum capacity 100g. and belonging to High accuracy class (accuracy class II). The value of verification scale interval (e) is 2g. The display unit is of light emitting diode. The instrument operates on 230 volts, 50 hertz alternate current power supply.



Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg. and with maximum number of verification scale interval (n) in the range 100 to 50,000 for 'e' value of 1mg. to 50mg. and with number of verification scale interval (n) in the range 5,000 to 50,000 for 'e' value of 100 mg. or more and with 'e' value of 1×10^k , 2×10^k and 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials wh.ch, the approved Model has been manufactured

[F. No. WM-21(79)/99]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 19 अगस्त, 2002

का.ओ. 2766.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल अपनी यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स लक्ष्मी मेटल इंडस्ट्रीज, 15, मनुपंचाल एस्टेट, इंदिरानगर के समीप, अमराईवाडी, अहमदाबाद-380026 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले "ए पी टी" शृंखला के अस्वच्छालित अंकक सूचन सहित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "एपटेक" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/286 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल (आकृति देखें) मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) का अंकक सूचन सहित प्लेटफार्म प्रकार का स्ट्रेन गाज लोड सेल आधारित अस्वच्छालित तोलन उपकरण है। जिसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान (ई) का मान 5 ग्राम है। प्रदर्श इकाई प्रकाश उत्सर्जक डायोड की है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी शृंखला के उसी मेक, उसी यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 300 कि.ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उम्मी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान अंतराल (एन) की अधिकतम संख्या 100 मि. ग्राम से 2ग्रा. "ई" मान के लिए 100 से 10,000 की श्रेणी में और सत्यापन मापमान अंतराल (एन) की संख्या 5 ग्रा. या अधिक है "ई" मान के लिए 500 से 10,000 की श्रेणी में है तथा जिनका "ई" मान $1 \times 10^*$, $2 \times 10^*$ और $5 \times 10^*$ हैं जिसमें के घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फ़. सं. डब्ल्यू. एम.-21(79)/99]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 19th August, 2002

S.O. 2766.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions ;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby publishes the Certificate of approval of Model of non-automatic weighing instrument (Platform type) with digital indication (hereinafter referred to as the Model), belonging to Medium accuracy class (Accuracy class III) of 'APT' series with brand name 'APTECH' manufactured by M/s. Laxmi Metal Industries, 15, Manupanchal Estate, Near Indiranagar, Amaraiwadi, Ahmedabad-380026 and which is assigned the approval mark IND/09/00/286;

The said model (see the figure given below) is a strain, gauge load cell based non-automatic weighing instrument (Platform type) with digital indication of maximum capacity 30 Kg. minimum capacity 100g. and belonging to Medium accuracy class (accuracy class III). The value of verification scale interval (e) is 5g. The display unit is of light emitting diode. The instrument operates on 230 volts, 50 hertz alternate current power supply.



Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instruments of similar make accuracy and performance of same series with maximum capacity upto 300 kg. and with maximum number of verification scale interval (n) in the range 100 to 10,000 for 'e' value 100mg. to 2g. and with number of verification scale interval (n) in the range 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k and 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials which, the approved Model has been manufactured

[F. No. WM-21(79)/99]

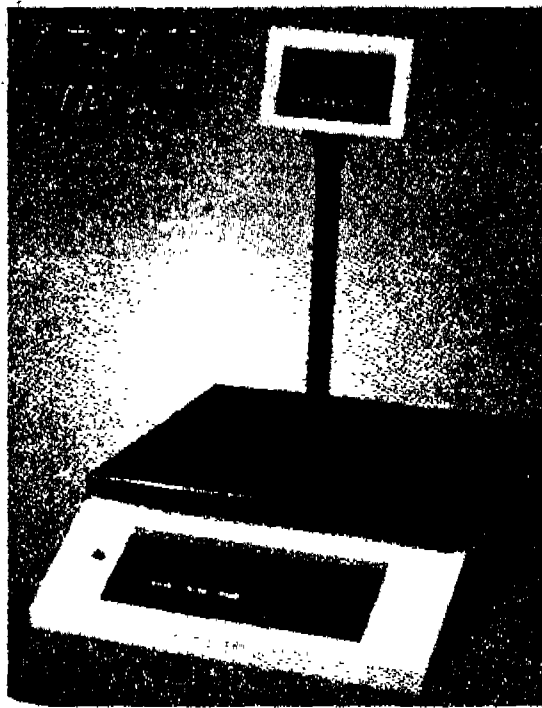
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 19 अगस्त, 2002

का.आ. 2767.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल अपनी यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (3) के तीसरे परन्तुक और उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स अर्जन वालजी ग्रुप, गांधी रोड, पोस्ट बॉक्स सं. 6, साबर कुंडला, गुजरात द्वारा विनिर्मित उच्च यथार्थता वर्ग (यथार्थता वर्ग II) वाले "ए वी जी" श्रृंखला के स्वतःसूचक अस्वचालित अंकक सूचन सहित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "साइसोर्स" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2001/84 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल उच्च यथार्थता वर्ग (यथार्थता वर्ग II) का अंकक सूचन सहित टेबल टॉप प्रकार का स्ट्रेन गाज लोड सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 22 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 2 ग्राम है। प्रदर्श यूनिट प्रकाश उत्सर्जक डायोड (एल.ई.डी.) प्रकार का है। उपकरण 220 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी श्रृंखला के ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि.ग्रा. तक है और जिनका निर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 1 मि.ग्रा. से 50 मि.ग्रा. "ई" मान के लिए 100 से 50,000 के रेंज में है और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 100 मि.ग्रा. या अधिक के "ई" मान के लिए 5000 से 50,000 की रेंज में है तथा जिनका "ई" मान 1×10^{-6} , 2×10^{-6} और 5×10^{-6} है जो घनात्मक या ऋणात्मक पूर्णांक है या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू. एम.-21(98)/99]

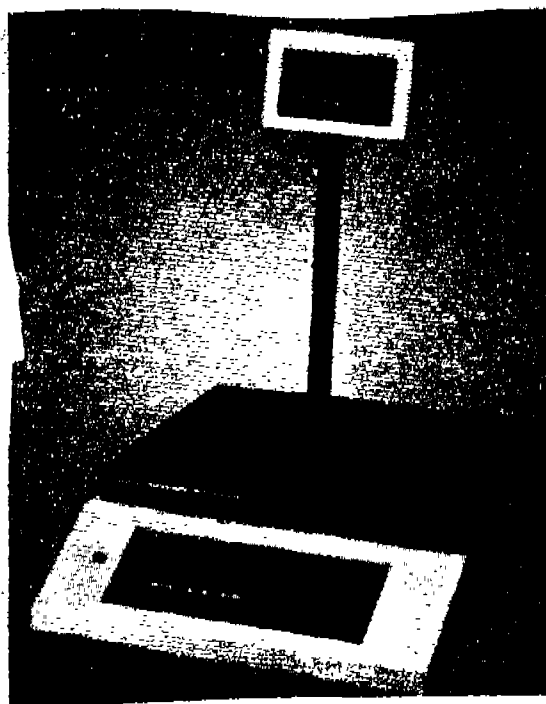
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 19th August, 2002

S.O. 2767.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions ;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby publishes the Certificate of approval of model of non-automatic weighing instrument (Table top type) with digital indication (hereinafter referred to as the model), of 'AVG' series belonging to High accuracy class (Accuracy class II) and with brand name 'SCISSORS' manufactured by M/s. Arjun Valji Group, Gandhi Road, Post Box No. 6, Savarkundla, Gujarat, and which is assigned the approval mark IND/09/01/84;

The model is a strain, gauge type load cell based non-automatic weighing instrument of (table top type) with digital indication of maximum capacity 22 Kg. minimum capacity 100g., and belonging to High accuracy class (accuracy class II). The value of verification scale interval (e) is 2g. The display unit is of light emitting diode (LED) type. The instrument operates on 220 volts, 50 hertz alternate current power supply;



Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instruments of similar make accuracy and performance of same series with maximum capacity upto 50kg. and with number of verification scale interval (n) in the range 100 to 50,000 for 'e' value 1mg. to 50mg. and with number of verification scale interval (n) in the range 5000 to 50,000 for 'e' value of 100mg. or more and with 'e' value to 1×10^k , 2×10^k and 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model has been manufactured.

[F. No. WM-21(98)/99]

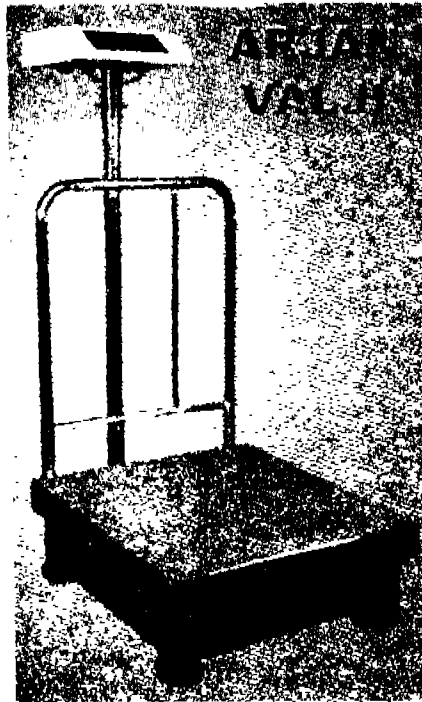
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 19 अगस्त, 2002

का.आ. 2768.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उक्त प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) खाट और माप मानक अधिनियम, 1976 (1976 का 60) और खाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त गॉडल अपनी यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (3) के तिसरे परन्तु और उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स अर्जन वालजी ग्रुप, गांधी रोड, पोस्ट बॉक्स सं. 6, साबर कुंडला, गुजरात द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले "ए बी जी" श्रृंखला के स्वतःसूचक अस्वचालित अंकक सूचन सहित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "साइसोर्स" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2001/85 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल मध्यम यथार्थता वर्ग (यथार्थता वर्ग 3) का अंकक सूचन सहित प्लेट फार्म प्रकार का स्ट्रेन गाज लोड सेल आधारित अस्वचालित तोलन उपकरण है। जिसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 5 ग्राम है। प्रदर्श युनिट इकाई प्रकाश उत्सर्जक डायोड की है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी श्रृंखला के उसी मेक और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 30 कि.ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 5 कि.ग्रा. या अधिक के "ई" मान के लिए 500 से 10,000 की रेंज में है तथा जिनका "ई" मान $1 \times 10^*$, $2 \times 10^*$ और $5 \times 10^*$ है जो धनात्मक या ऋणात्मक पूर्णांक है या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू. एम.-21(98)/99]

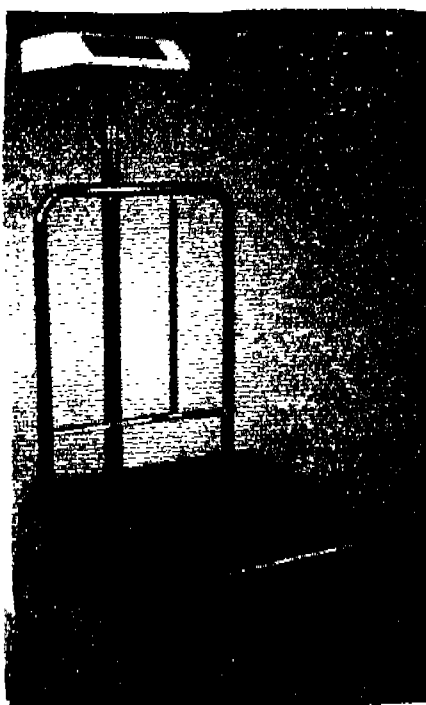
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 19th August, 2002

S.O. 2768.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions ;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby publishes the Certificate of approval of model of the non-automatic weighing instrument (Platform type) with digital indication (hereinafter referred to as the model), of 'AVG' series belonging to Medium accuracy class (Accuracy class III) and with brand name 'SCISSORS' manufactured by M/s. Arjun Valji Group, Gandhi Road, Post Box No. 6, Savarkundla, Gujarat, and which is assigned the approval mark IND/09/01/85;

The model is a strain, gauge load cell based non-automatic weighing instrument of (Platform type) with digital indication of maximum capacity 30 Kg. minimum capacity 100g. and belonging to Medium accuracy class (accuracy class III). The value of verification scale interval (e) is 5g. The display unit is of light emitting diode (LED) Type. The instrument operates on 230 volts, 50 hertz alternate current power supply;



Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instruments of similar make accuracy and performance of same series with maximum capacity upto 300kg. and with number of verification scale interval (n) in the range 500 to 10,000 for 'e' value of 5g. or more and with 'c' value to 1×10^k , 2×10^k and 5×10^k , where k is a Negative or positive whole number or zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model has been manufactured.

[F. No. WM-21(98)/99]

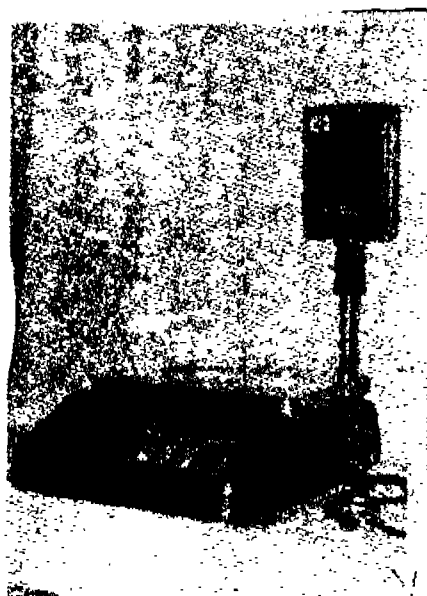
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 19 अगस्त, 2002

का.आ. 2769.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा:

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स मल्टी वे (इंडिया) प्रा. लि., 1254/2, सेक्टर 43, बी चंडीगढ़ द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एम डब्ल्यू टी" श्रृंखला के स्वतःसूचक अस्वच्छालित अंकक सूचन सहित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "मल्टी वे" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन बिह्व आई एन डी/09/2001/225 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

उक्त मॉडल एक स्ट्रेन गाज लोड सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 5 कि. ग्रा. और न्यूनतम क्षमता 10 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 0.5 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शतप्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि.ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान अंतराल (एन) की अधिकतम संख्या 100 मि.ग्रा.से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 की रेंज में है और 5 ग्रा. या इससे अधिक के "ई" मान के लिए 500 से 10,000 के रेंज में तथा जिनका "ई" मान 1×10^{-5} , 2×10^{-5} और 5×10^{-5} है जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू. एम. 21(29)/2000]

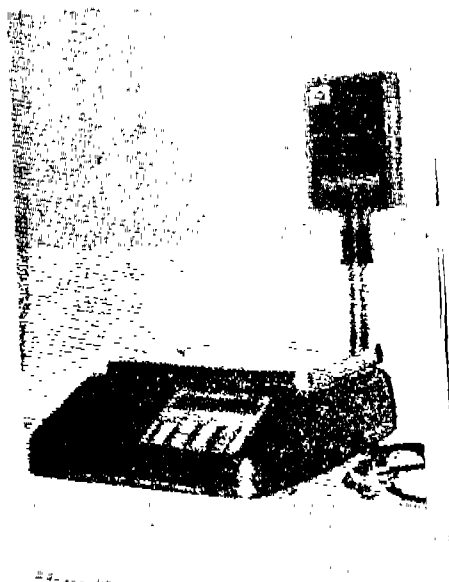
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 19th August, 2002

S.O. 2769.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions :

Now, therefore, in exercise of the powers conferred by Sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the self indicating, non-automatic (Table top type) weighing instrument with digital indication of 'MWT' series of medium accuracy (accuracy class III) and with brand name "MULTI WEIGH" (hereinafter referred to as the model), manufactured by M/s. Multi Weigh (India) Pvt. Limited, 1254/2, Sector 43-B Chandigarh-160 043 and which is assigned the approval mark IND/09/2001/225;

The said model is a strain, gauge load cell based weighing instrument with a maximum capacity of 5 Kg. minimum capacity and of 10g. The verification scale interval (e) value is 0.5g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode display indicates the weighing result. The instrument operates on 230 volts, 50 hertz alternate current power supply.



Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instrument of similar make accuracy and performance of same series with maximum capacity upto 50kg and with number of verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value 1×10^k , 2×10^k and 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model have been manufactured

[F No. WM-21(29)/2000]

P A KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 19 अगस्त, 2002

का. आ. 2770.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स ब्राइट इंजीनियरिंग वर्क्स, 78 गांधी नगर, अतुर-636102 तमिलनाडु द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "बी टी-टी टी" शृंखला के स्वतःसूचक अस्वचालित अंकक सूचन सहित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ब्राइट" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2001/206 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

उक्त मॉडल एक स्ट्रेन गाज लोड सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 10 कि. ग्रा. और न्यूनतम क्षमता 40 ग्रा. है। स्थापन मापमान अंतराल (ई) का मान 2 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शतप्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी मेक यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि.ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी मिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके स्थापन मापमान अन्तराल (एन) की संख्या 100 मि.ग्रा.से 2 ग्रा. तक के "ई" मान के लिए 500 से 10,000 की रेंज में है और 5 ग्रा. या इससे अधिक के "ई" मान के लिए 500 से 10,000 के रेंज में है तथा जिनका "ई" मान 1×10^{-6} , 2×10^{-6} और 5×10^{-6} है जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू. एम. 21(87)/2001]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 19th August, 2002

S. O. 2770.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions ;

Now, therefore, in exercise of the powers conferred by Sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the self indicating, non-automatic (Table top type) weighing instrument with digital indication of 'BT-TT' series of medium accuracy (accuracy class III) and with brand name "BRIGHT" (hereinafter referred to as the model), manufactured by M/s. Bright Engineering Works, 78 Gandhi Nagar, Attur-636 102, Tamil Nadu and which is assigned the approval mark IND/09/2001/206;

The said model is a strain, gauge load cell based weighing instrument with a maximum capacity of 10 Kg. and minimum capacity of 40g. The verification scale interval (e) is 2g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode displays indicates the weighing result. The instrument operates on 230 volts, and frequency 50 hertz alternate current power supply;



Further, in exercise of the powers conferred by Sub-section (12) of, Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instruments of similar make and performance of same series with maximum capacity upto 50kg. and with number of verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg. to 2g and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value 1×10^k , 2×10^k and 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model have been manufactured.

[F. No. WM-21(87)/2001]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 19 अगस्त, 2002

का. आ. 2771.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स ब्राइट इंजीनियरिंग वर्क्स, 78 गांधी नगर, असुर-636102 तमिलनाडु द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "बी टी-पी टी" शृंखला के स्वतःसूचक अस्वच्छालित अंकक सूचन सहित तोलन उपकरण (प्लेट फॉर्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ब्राइट" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2001/207 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

उक्त मॉडल एक स्ट्रेन गाज लोड सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 100 कि. ग्रा. और न्यूनतम क्षमता 400 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 20 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 300 कि.ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान अंतराल (एन) की अधिकतम संख्या 5 ग्रा. या इससे अधिक "ई" मान के लिए 500 से 10,000 की रेंज में है तथा जिनका "ई" मान 1×10^{-5} , 2×10^{-5} और 5×10^{-5} है जिसमें के घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू. एम.-21(87)/2001]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 19th August, 2002

S. O. 2771.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions ,

Now, therefore, in exercise of the powers conferred by sub-sections (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of model of the self indicating, non-automatic platform type weighing instrument with digital indication of 'BT-PT' series of medium accuracy (accuracy class III) and with brand name 'BRITE' (hereinafter referred to as the model), manufactured by M/s. Brite Engineering Works, 78 Gandhi Nagar, Attur-636 102, Tamil Nadu and which is assigned the approval mark IND/09/2001/207;

The said model (figure given) is a strain gauge load cell based weighing instrument with a maximum capacity 100 Kg. and minimum capacity 400g. The verification scale interval (e) is 20g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode display indicates the weighing result. The instrument operates on 230 volts and frequency 50 hertz alternate current power supply;



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity upto 300kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value 1×10^k , 2×10^k and 5×10^k , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model have been manufactured.

[F. No. WM-21(87)/2001]

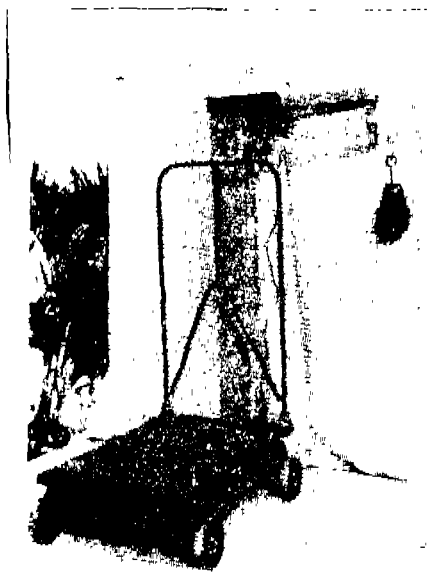
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 19 अगस्त, 2002

का. आ. 2772.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उम्मे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल अपनी यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स ब्राइट इंजीनियरिंग वर्क्स, 78 गांधी नगर, अतुर-636102 तमिलनाडु द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "बी टी-पी सी" श्रृंखला के स्वतःमूचक अम्वचालित अंकक मूचन सहित तोलन उपकरण (प्लेट फॉर्म प्रकार के लिए संपरिवर्तनकित) के मॉडल का, जिसके ब्रांड का नाम "ब्राइट" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2001/208 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

उक्त मॉडल एक स्ट्रेन गाज लोड सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 300 कि. ग्रा. और न्यूनतम क्षमता 1 कि. ग्रा. है। स्थापन मापमान (ई) का मान 50 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 5 टन तक है और जिनका विनिर्माण उम्मे विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके स्थापन मापमान अन्तराल (एन) की अधिकतम संख्या 5 ग्रा. या इससे अधिक के "ई" के लिए 500 से 10,000 की रेंज में है तथा जिनका "ई" मान 1×10^{-3} , 2×10^{-3} और 5×10^{-3} है जिसमें के घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू. एम.-21(87)/2001]

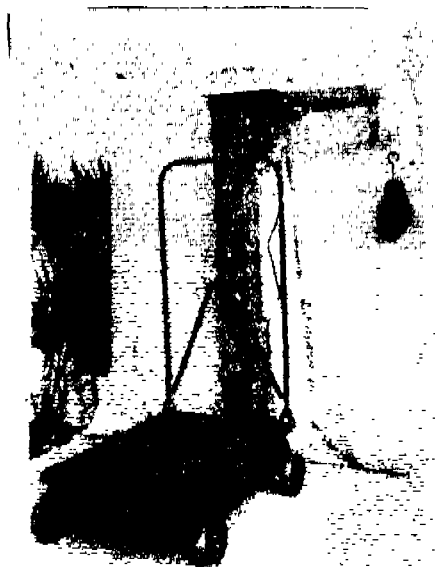
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 19th August, 2002

S. O. 2772.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions,

Now, therefore, in exercise of the powers conferred by Sub-sections (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the self indicating, non-automatic (Conversion kit for Plat form type) weighing instrument with digital indication of 'BT-PC' series of medium accuracy (accuracy class III) and with brand name "BRITE" (hereinafter referred to as the model), manufactured by M/s. Brite Engineering Works, 78, Gandhi Nagar, Attur-636 102, Tamil Nadu and which is assigned the approval mark IND/09/2001/208;

The said model (figure given) is a strain gauge load cell based weighing instrument with a maximum capacity 300 Kg. minimum capacity 1Kg. The verification scale interval (e) value is 50g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode display indicates the weighing result. The instrument operates on 230 volts and frequency 50 hertz alternate current power supply;



Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity upto 5 tonne and with number of verification scale interval (n) in the range 500 to 10,000 for 'e' value of 5g or more and with 'e' value 1×10^k , 2×10^k and 5×10^k , k being with positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model have been manufactured.

[F. No. WM-21(87)/2001]

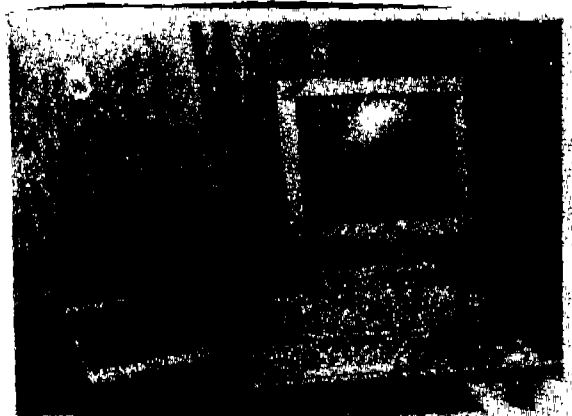
P A KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 19 अगस्त, 2002

का. आ. 2773.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स ब्राइट इंजीनियरिंग वर्क्स, 78 गांधी नगर, अतुर-636102 तमिलनाडु द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “बी टी-डब्ल्यू सी” शृंखला के स्वतःसूचक अस्वच्छालित अंकक सूचन सहित तोलन उपकरण (तोलन पुल के लिए संपरिवर्तनकित) के मॉडल का, जिसके ब्रांड का नाम “ब्राइट” है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन विद्वद् आई एन डी/09/2001/209 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

उक्त मॉडल एक स्ट्रेन गाज लोड सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 30 टन और न्यूनतम क्षमता 100 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 5 कि. ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शतप्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, के उसी मेक यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 5 टन से अधिक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान अंतराल (एन) की अधिकतम संख्या 5 कि. ग्रा. या इससे अधिक के “ई” मान के लिए 500 से 10,000 के रेंज में है तथा जिनका “ई” मान $1 \times 10^*$, $2 \times 10^*$ और $5 \times 10^*$ है जिसमें के घनात्मक या श्रृणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू. एम. 21(87)/2001]

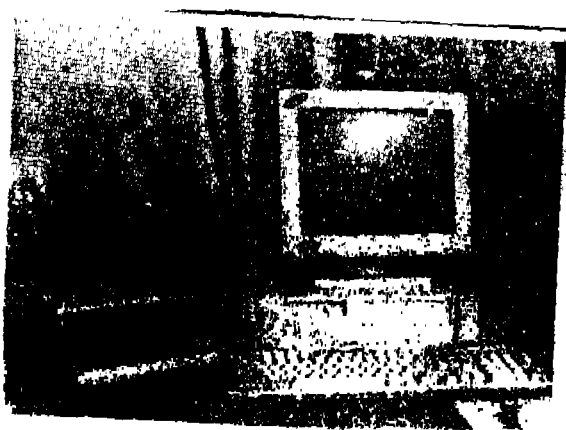
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 19th August, 2002

S. O. 2773.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions,

Now, therefore, in exercise of the powers conferred by Sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the Certificate of approval of the model of the self indicating, non-automatic (Conversion kit for weigh bridge) weighing instrument with digital indication of 'BT-WC' series of medium accuracy (accuracy class III) and with brand name "BRITE" (hereinafter referred to as the model), manufactured by M/s. Brite Engineering Works, 78 Gandhi Nagar, Attur-636 102, Tamil Nadu and which is assigned the approval mark IND/09/2001/209;

The said model (figure given) is a strain, gauge load cell based weighing instrument with a maximum capacity of 30 tonne and minimum capacity of 100Kg. The verification scale interval (e) is 5kg. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode display indicates the weighing result. The instrument operates on 230 volts, and frequency 50 hertz alternate current power supply;



Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instruments of similar make and performance of same series with maximum capacity above 5 tonne and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5kg or more and with 'e' value 1×10^k , 2×10^k and 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model has been manufactured.

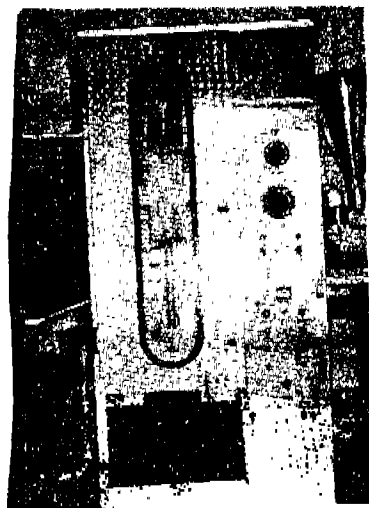
[F. No. WM-21(87)/2001]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 19 अगस्त, 2002

का. आ. 2774.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स मेक्ट्रोनिक्स मशीनरीज प्राइवेट लिमिटेड, बिनयगर, इलम, सं. 47 पांचवां क्राम, ए. आर.पी. नगर, पांडिचेरी द्वारा विनिर्मित "एम इ सी-ए एफ" शृंखला के भरण मशीन (कप भरण) के मॉडल का, जिसके ब्रांड का नाम "एम एम पी एल एफ" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2001/243 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।



यह मॉडल स्वतः भरण मशीन (ऑगर फिलर) है। मशीन को 2 ग्राम से 1000 ग्राम के बीच किसी रेंज या समतुल्य भार में समायोजित किया जा सकता है। यह अधिकतम उत्पादक प्रतिमिन् (अधिकतम) भर सकता है। मशीन चाय, पाउडर, काफी पाउडर, मसाले, कणिका, फार्मस्यूटिकल पाउडर, दूध पाउडर, रसायनक पाउडर आदि जैसे अमुक्त प्रवाही उत्पाद को भरने के लिए डिजाइन किया गया है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। प्रदर्श उत्पादन डायोड प्रकार का है।

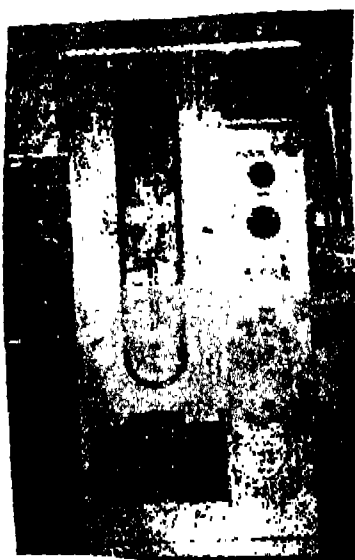
[फा. सं. डब्ल्यू. एम. 21(77)/2001]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 19th August, 2002

S.O. 2774.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, that the model described in the said report (see figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions ;

Now, therefore, in exercise of the powers conferred by Sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the Certificate of approval of the model in respect automatic filling machine (auger filler) of MEC-AF series (herein referred to as the model), with brand name MMPL-AF manufactured by M/s. Mechtronics Machineries Pvt. Ltd., Vinaygar Illam, No. 47, 5th cross, ARP Nagar, Pondicherry and which is assigned the approval of model mark IND/09/2001/243;



The model is automatic filling machine (auger filler). The Machine can be adjusted to deliver any range between 2g. to 1000g or equivalent weight. It can fill 30 pouches per minute (maximum). The machine is designed to fill non-free flowing products such as Tea powder, coffee powder, spices, granules, pharmaceutical powder, tooth powder, chemical powder etc. It operates on 230 volts, 50 hertz alternate current power supply. The display is of light emitting diode type.

[F. No. WM-21(77)/2001]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 19 अगस्त, 2002

का. आ. 2775.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स मेक्ट्रोनिक्स मशीनरीज प्राइवेट लिमिटेड, विनयगर, इलम, सं. 47 पांचवां क्राम, ए. आर.पी. नगर, पांडिचेरी द्वारा विनिर्मित "एम इ सी सी एफ" शृंखला की भरण मशीन (कप फिलर) के मॉडल का, जिसके ब्रांड का नाम "एम एम पी एल सी एफ" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2001/244 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।



यह मॉडल स्वतः भरण मशीन (कप फिलर) है। मशीन को 2 ग्राम से 1000 ग्राम के बीच किसी रेंज या समतुल्य भार में समायोजित किया जा सकता है। यह अधिकतम उत्पादकत्व प्रतिमिनट (अधिकतम) भर सकता है। यह मशीन चाय, पाउडर, काफी पाउडर, मसाले, कणिका, फार्मस्यूटिकल पाउडर, दूध पाउडर, रसायनक पाउडर आदि जैसे अमुक्त प्रवाही उत्पाद को भरने के लिए डिजाइन किया गया है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। प्रदर्श उत्पर्जन डायोड प्रकार का है।

[फा. सं. डब्ल्यू. एम. 21(77)/2001]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 19th August, 2002

S.O. 2775.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions ;

Now, therefore, in exercise of the powers conferred by Sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the Certificate of approval of the model in respect of automatic filling machine (cup filler) of MEC-CF series (herein referred to as the model), with brand name MMPL-CF manufactured by M/s. Mechtronics Machineries Pvt. Ltd., Vinaygar Illam, No. 47, 5th cross, ARP Nagar, Pondicherry and which is assigned the approval of model mark IND/09/2001/244;



The model is automatic filling machine (cup filler). The Machine can be adjusted to deliver any range between 2g to 1000g. or equivalent weight. It can fill 30 pouches per minute (maximum). The machine is designed to fill non-free flowing products such as Tea powder, coffee powder, spices, granules, pharmaceutical powder, tooth powder, chemical powder etc. It operates on 230 volts, 50 hertz alternate current power supply. The display is of light emitting diode type

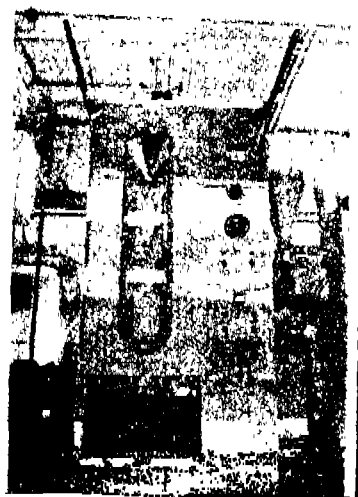
[F. No. WM-21(77)/2001]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 19 अगस्त, 2002

का. आ. 2776.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शर्तों का प्रयोग करते हुए, मैसर्स मेक्ट्रोनिक्स मशीनरीज प्राइवेट लिमिटेड, विनयगर, इलम, सं. 47 पांचवां कास, ए. आर.पी. नगर, पांडिचेरी द्वारा विनिर्मित “एम इ सी सी एफ” शृंखला की भरण मशीन (पिस्टन फिलर) के मॉडल का, जिसके ब्रांड का नाम “एम एम पी एल-एल एफ” है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2001/245 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।



यह मॉडल स्वतः भरण मशीन (पिस्टन फिलर) है। मशीन को 2 मि. लिटर से 1000 मि. लिटर के बीच किसी रेंज या समतुल्य भार में समायोजित किया जा सकता है। यह अधिकतम उत्पादक प्रतिमिनट (अधिकतम) भर सकता है। यह 15 पाउण्ड प्रति मिनट (अधिकतम) भर सकता है। यह इस्कोज द्रव, वनस्पति घी, मक्खन, खाद्य तेल, पेंट आदि जैसे मुक्त प्रवाही उत्पाद को भरने के लिए डिजाइन किया गया है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। प्रदर्श उत्पन्न डायोड प्रकार का है।

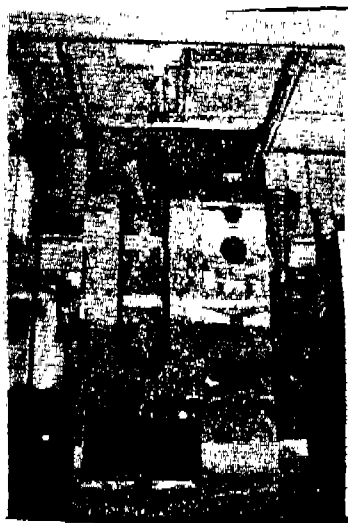
[फा. सं. डब्ल्यू. एम. 21(77)/2001]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 19th August, 2002

S.O. 2776.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions ;

Now, therefore, in exercise of the powers conferred by Sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the Certificate of approval of the model in respect of automatic filling machine (piston filler) of MEC-LF series (herein referred to as the model), with brand name MMPL-LF manufactured by M/s. Mechtronics Machinerics Pvt. Ltd., Vinaygar Illam, No. 47, 5th cross, ARP Nagar, Pondicherry and which is assigned the approval of model mark IND/09/2001/245;



The model is automatic filling machine (piston filler). The Machine can be adjusted to deliver any range between 2ml. to 1000ml. or equivalent weight. It can fill 15 pouches per minute (maximum). The machine is designed to fill free flowing products such as viscous, liquids, vanaspati ghee, butter, edible oil, paints etc. It operates on 230 volts, 50 hertz alternate current power supply. The display is of eight emitting diode type.

[F. No. WM-21(77)/2001]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 19 अगस्त, 2002

का. आ. 2777.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स मेक्ट्रोनिक्स मशीनरीज प्राइवेट लिमिटेड, बिनयगर, इलम, सं. 47 पांचवां क्रॉस, ए. आर.पी. नगर, पांडिचेरी द्वारा विनिर्मित "एम इ सी जी एफ" शृंखला की भरण मशीन (ग्रेवी मीट्रिक फिलर) के मॉडल का, जिसके ब्रांड का नाम "एम एम पी एल डब्ल्यू एफ" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2001/246 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।



यह मॉडल स्वतः भरण मशीन (ग्रेवी मीट्रिक फिलर) है। मशीन को 2 मि. लिटर से 1000 मि. लिटर के बीच किसी रेंज या समतुल्य भार में समायोजित किया जा सकता है। यह प्रति मिनट 15-20 पाउन्ड (अधिकतम) भर सकता है। मशीन को खनिज जल, दुग्ध, मक्खन, अरक आदि जैसे गैर विस्कोज उत्पादों को भरने के लिए डिजाइन किया है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। प्रदर्श उत्पन्न डायोड प्रकार का है।

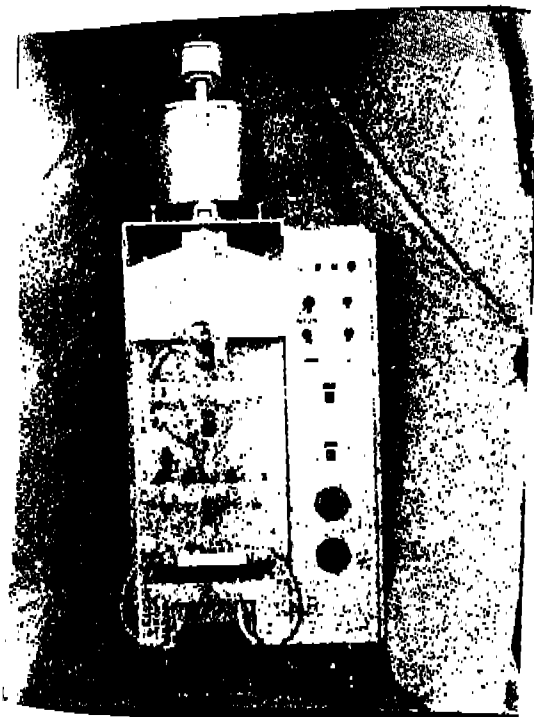
[फा. सं. डब्ल्यू. एम. 21(77)/2001]

पी. ए. कृष्णमूर्ति, विदेशक, विधिक माप विज्ञान

New Delhi, the 19th August, 2002

S.O. 2777.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions,

Now, therefore, in exercise of the powers conferred by Sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the Certificate of approval of the Model in respect of automatic filling machine (gravi-metric filler) of MEC-GF series (herein referred to as the model), with brand name MMPL-WF manufactured by M/s Mechtronics Machineries Pvt Ltd., Vinaygar Illam, No. 47, 5th cross, ARP Nagar, Pondicherry and which is assigned the approval of Model mark IND/09/2001/246;



The Model is automatic filling machine (gravi-metric filler). The machine can be adjusted to deliver any range between 2ml. to 1000ml. or equivalent weight. It can fill 15-20 pouches per minute (maximum). The machine is designed to fill non-viscous products such as Mineral water, milk, butter milk, arrack etc. It operates on 230 volts, 50 hertz alternate current power supply. The display is of light emitting diode type.

[F. No. WM-21(77)/2001]

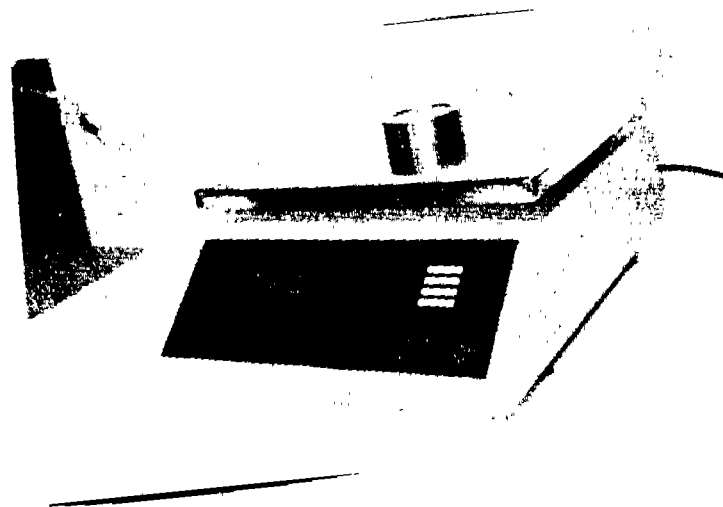
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 19 अगस्त, 2002

का. आ. 2778.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तों का प्रयोग करते हुए, मैसर्स सुजुकी इलेक्ट्रॉनिक्स, 990-आई डी, जी आई डी सी, एस्टेट अकरपुरा बड़ोदा-10 द्वारा विनिर्मित उच्च यथार्थता वर्ग (यथार्थता वर्ग II) वाले "सुजुकी" शृंखला के अस्वचालित अंकक सूचन सहित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके बांड का नाम "सुजुकी" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2001/280 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

उक्त मॉडल (आकृति देखें) एक स्ट्रेन गाज लोड सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 11 कि. ग्रा. और न्यूनतम क्षमता 20 ग्रा. हैं। सत्यापन मापमान अंतराल (ई) का मान 1 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शतप्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्ल्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी शृंखला के उसी मेक यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि.ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 1 मि. ग्राम से 50 मि. ग्रा. के "ई" मान के लिए 100 से 5,000 की रेंज में है और 100 मि. ग्रा. या इससे अधिक के "ई" मान के लिए 5000 से 50,000 की रेंज में है तथा जिनका "ई" मान 1×10^{-3} , 2×10^{-3} और 5×10^{-3} है जिसमें के घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू. एम.-21(98)/2001]

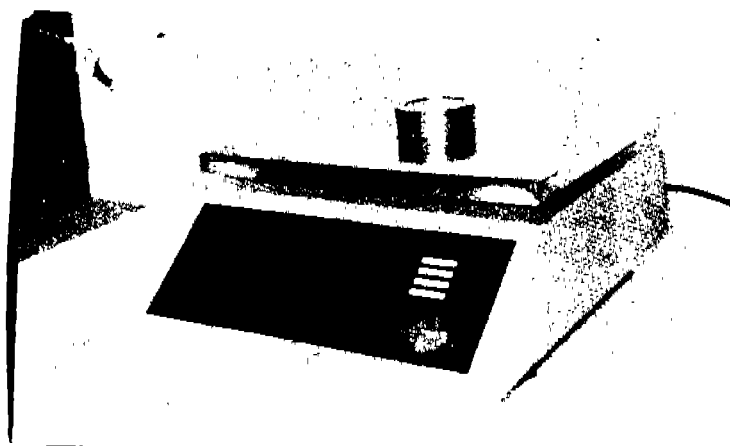
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 19th August, 2002

S. O. 2778.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions ;

Now, therefore, in exercise of the powers conferred by Sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the non-automatic weighing instrument (Table top type) with digital indication belonging to high Accuracy (accuracy class II) of "SUZUKI" series with brand name "SUZUKI" (hereinafter referred to as the Model), manufactured by M/s. Suzuki Electronics, 990-ID, G.I.D.C. Estate, Makarpura, Baroda-10 and which is assigned the approval mark IND/09/2001/280;

The said Model (see the figure) is a strain, gauge load cell based non-automatic weighing instrument (table top type). The maximum capacity is 11 Kg. and minimum capacity 20g. The value of verification scale interval (c) is 1g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts, 50 hertz alternate current power supply;



Further, in exercise of the powers conferred by Sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instruments of similar make accuracy and performance of same series with maximum capacity upto 50kg. and with number of verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1 mg to 50mg and with number of verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of 1×10^k , 2×10^k and 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No. WM-21(98)/2001]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

श्रम मंत्रालय

नई दिल्ली, 30 जुलाई, 2002

का.आ. 2779:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एफ. सी. आई. प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, लखनऊ पंचाट (संदर्भ संख्या 96/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-07-2002 को प्राप्त हुआ था।

[सं. एल-22012/98/2000-आईआर (सी-II)]

एन.पी. केशवन, डेस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 30th July, 2002

S.O. 2779.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 96/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of FCI and their workman, which was received by the Central Government on 29-7-2002.

No. [No. L-22012/98/2000-IR(C-II)]
N. P. KESAVAN, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

PRESENT :

RUDRESH KUMAR, Presiding Officer.

ID No. 96/2000

Ref. No. L-22012/98/2000/IR(CM-II) dated
15-9-2000

BETWEEN

The State Secretary, Bhartiya Khadya Nigam Karmchari Sangh 5-6, Habibullah Estate, Hazratganj, Lucknow.

(In the matter of Ved Prakash Singhal)

AND

The Sr. Regional Manager, Food Corporation of India, 5-6, Habibullah Estate, Hazratganj, Lucknow (U.P.)

AWARD

By order No. L-22012/98/2000/IR (CM-II) dated 15-9-2000, the Central Government in the Ministry of Labour, in exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), referred this industrial dispute between the State Secretary, Bhartiya Khadya Nigam Karmchari Sangh, 5-6, Habibullah Estate, Hazratganj, Lucknow 2578 GI/2002—23

and the Sr. Regional Manager, Food Corporation of India, 5-6, Habibullah Estate, Hazratganj, Lucknow for adjudication.

The reference under adjudication is as under :

"Whether the action of the management of FCI in not paying dues/retirement benefits of late Shri K. N. Singhal A.G.-I Depot, to Shri Ved Prakash Singhal was legal and justified? If not, to what relief the workman is entitled?"

2. The deceased K. N. Singhal, A.G.-I, admittedly, expired on 24-5-1975. Present workman, Ved Prakash Singhal, was born from the wedlock of his daughter Smt. Madhu and V. N. Shukla. The deceased K. N. Singhal had no male issue and so, he adopted the workman to be his legal heir. The workman in capacity of being adopted son and only legal heir has raised this dispute.

3. His case is contested by the management on various grounds. The management challenges adoption in favour of Ved Prakash Singhal, the workman and pleads that his mother Smt. Madhu Shukla, being daughter of the deceased claimed gratuity and was so paid.

4. Instead of contesting the case, the workman filed an application today stating that the management had already made payment of gratuity in respect of deceased K. N. Singhal to his mother, Smt. Madhu Shukla and further, is agreeable to make payments of provident fund of the deceased to his mother Smt. Madhu Shukla and so, he is not inclined to contest the claim and does not press for adjudication. This application also finds endorsement of the authorised representative of the management agreeing to pay all dues (PF) to Smt. Madhu Shukla.

5. This application was verified before the court. In view of this application, not pressing for adjudication of claim on merit, and assurance to pay GPF to his mother by the management there exist no dispute to be adjudicated.

6. Accordingly, the reference is not adjudicated on merit and is returned with "No Claim Award". Lucknow,

24-7-2002.

RUDRESH KUMAR, Presiding Officer

नई दिल्ली, 30 जुलाई, 2002

का.आ. 2780:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी. एल. प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचाट (संदर्भ संख्या 23/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-07-2002 को प्राप्त हुआ था।

[सं. एल-22012/376/99-आईआर (सी-II)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 30th July, 2002

S.O. 2780.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 23/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ECL and their workman, which was received by the Central Government on 29-7-2002.

[No. L-22012/376/99-IR(C-II)]
N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL

PRESENT :

Shri Ramjee Pandey, Presiding Officer

Reference No. 23 of 2000

PARTIES :

General Manager, Sodepur Area
of M/s. E.C. Ltd. Management.

Vrs.

Shri Sahdeo Bouri,
U. G. Loader. Workman.

REPRESENTATION :

For the Management : Shri P. K. Goswami,
Advocate.

For the Workman (Union) : Shri S. K. Pandey,
Chief General Secretary of Koyla Mazdoor
Congress.

INDUSTRY : Coal. STATE : West Bengal.

Dated, the 14th June, 2002

AWARD

In exercise of the powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947, Government of India through the Ministry of Labour by its Order No. L-22012/376/99/IR(CM-II) dated 29-2-2000 has referred the following dispute for adjudication by this Tribunal :

"Whether the action of the management of B.C. Incline Colliery under Sitarampur Area (presently Sodepur Area) M/s. ECL in dismissing the services of Shri Sahdeo Bouri U. G. Loader is justified? If not, to what relief the workman is entitled?"

After receiving the reference summons were sent to both the parties by registered post. In response to the summons both the parties appeared through their representatives. Shri P. K. Goswami, Advocate appeared for the management and Shri S. K. Pandey, Chief General Secretary of Koyla Mazdoor Congress appeared for the workman. Both the parties filed their respective written statement.

Facts of the case in brief is that the workman viz. Shri Sahdeo Bouri was an employee of E.C.L. and was posted as U.G. Loader at the B.C. Incline colliery under Sodepur Colliery. The workman remained absent from his duty from 29-9-95 to 26-3-96 that is for a period of about six months for which he was chargesheeted and after holding a domestic enquiry he was dismissed from service.

The case of the workman in brief is that the workman became absent from his duty due to his sickness and he was under medical treatment. After recovery the workman reported for his duty but he was not allowed and he was served with chargesheet. The workman submitted his explanation along with medical certificate but the same was not accepted and without giving second show cause notice he was dismissed from service. In fact no misconduct on the part of the workman was proved by the management and the workman was dismissed from service without any basis. The order of dismissal by the management is illegal and unjustified and the workman should be directed to be reinstated in service with payment of full back wages.

The case of the management in brief is that the workman became absent without leave or any information to the competent authority of the colliery and he committed misconduct. The management served a copy of charge sheet to the workman in reply to which the workman submitted his explanation but the same was not found satisfactory and hence a departmental enquiry was started. The workman was given full opportunity to be heard during enquiry. After concluding the enquiry the Enquiry Officer submitted the report. The competent authority after considering the enquiry report came to conclusion that misconduct of the workman was established and accordingly the workman was dismissed from service.

At the time of hearing on preliminary point of validity of domestic enquiry the union representing the workman did not challenge the validity of enquiry rather admitted that the enquiry was conducted in presence of the workman and hence by order dated 3-4-2002 the domestic enquiry has been held to be valid.

Both the parties made their submissions on the merit of the case on the basis of enquiry report and the evidence produced during the same. Shri S. K. Pandey, representing the workman submitted that the workman was absent due to the fact that he became ill and no sooner he recovered he reported for duty. The fact that the workman was sick has been proved during domestic enquiry and the Enquiry Officer has accepted the same. Although the Enquiry Officer has pointed out that the workman did not inform the management for such a long period about his sickness but from perusal of the enquiry report it is clear that a plea has been taken by the workman that he could not inform the management about his sickness due to the fact that there is no other male member in his family. He further submitted that although the workman was chargesheeted for habitual absentee also but the Enquiry Officer has given his finding that no evidence was adduced by the management to prove the allegation of habitual absentee and naturally this charge also was not proved. He further submitted

that the order of dismissal is baseless and the competent authority did not apply his mind to the facts proved during enquiry. He further submitted that the order of dismissal is a severe punishment.

On the other hand the Ld. Lawyer for the management could not controvert the facts that the workman has produced a medical certificate to prove the fact that he was sick during his absence. He also could not controvert the facts that the allegation of habitual absentee has not been proved during enquiry. Only point raised by the Ld. Lawyer is that the workman was dismissed in the year 1996 but raised dispute before the Regional Labour Commissioner in the month of May, 1999 which is after a long delay and hence he is not entitled to any relief.

In view of the submissions made on behalf of both the parties I perused the enquiry report and the evidence produced during the same. It is admitted by both the parties that the workman was absent from his duty from 29-9-95 to 26-3-96. The Enquiry Officer has given a finding that the workman submitted medical certificate in support of his plea of sickness. The Enquiry Officer has also come to the conclusion that the charge of being habitual absentee has not been proved against the workman. The Enquiry Officer has come to a definite conclusion that only misconduct on the part of the workman is that he remained absent without any leave granted by any competent authority and hence his absence was unauthorised. In my opinion the view of the Enquiry Officer in this regard does not appear to be sound. From the enquiry report itself it is clear that the workman was sick and the same has been accepted by the Enquiry Officer. Although the workman did not give information earlier about his sickness and absence but he has taken a plea that there is no male member in his family and this plea of the workman has not been proved to be false, hence in my opinion no misconduct on the part of the workman has been proved.

Although Ld. Lawyer for the management made submissions that the dispute has been raised by the workman very late but I find no substance in this submission. This is not an aspect to be considered by the Tribunal rather it is a fact to be considered by the Government of India at the time of referring the dispute. Once the Government of India referred the dispute to the Tribunal the plea of raising the dispute after delay cannot be examined by the Tribunal.

In view of the above discussion I find that the workman committed no misconduct warranting punishment of dismissal from service. Only misconduct can be attached to the workman is that he did not inform the management earlier about his sickness and in my opinion a minor punishment could also meet the ends of justice. In this view of the matter the order of dismissal is unjustified and disproportionate, hence the order of dismissal is set aside. The workman can be punished by way of stoppage of one annual increment. Accordingly management is directed to reinstate the workman with back wages subject to stoppage of one annual increment. The award is passed in the above manner.

RAMJEE PANDEY, Presiding Officer

नई दिल्ली, 30 जुलाई, 2002

का.अ. 2781.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एस. सी. सी. एल. प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण हैदराबाद पंचाट (संदर्भ संख्या 7/2001) को प्रकाशित करती है जो केन्द्रीय सरकार को 29-07-2002 को प्राप्त हुआ था।

[सं. एस-22015/4/2000-आईआर (सी-II)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 30th July, 2002

S.O. 2781.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 7/2001), of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SCCL and their workman, which was received by the Central Government on 29-7-2002.

[No. L-22015/4/2000-IR(C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

PRESENT :

Shri E. Ismail, Presiding Officer.

Dated, the 29th day of April, 2002

Industrial Dispute No. 7/2001

BETWEEN

Sri K. Rama Rao,
C/o Singareni Colliers Co. Ltd.,
Rg (Projects), (At present RG.III),
Godavarikhani,
District Karimnagar.

... Petitioner.

AND

The General Manager,
Singareni Collieries Co. Ltd.,
Rg (Projects),
(At present Rg.III),
Godavarikhani,
District Karimnagar

Respondent.

APPEARANCES :

For the Petitioner : M/s. J. Partha Sarathy,
Advocates.

For the Respondent : M/s. B. G. Rayindra Reddy,
Advocates.

AWARD

The Government of India, Ministry of Labour by its Order No. L-22015/4/2000-IR(C-II) dated 22nd March, 2001 referred the following dispute under Section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the employers in relation to the Management of Singareni Collieries Co. Ltd., Godavarikhani (A.P.) and their workman.

SCHEDULE

“Whether the I.D. raised by Sri K. Rama Rao against the management of Singareni Colliery Co. Ltd. to correct his date of birth as 6-1-1952 on the basis of transfer certificate issued by the School Authorities which was produced by him is justified? If so, to what relief Sri K. Rama Rao is entitled?”

This reference was registered as Industrial Dispute No. 7/2001 and notices were issued to the parties.

2. After the reference the petitioner filed the claim statement stating that he was appointed in the Responden Company in the year, 1978 and the petitioner was sent for medical examination. However, the petitioner was not given any information about his age as assessed by the Doctor. And the petitioner has also not gone into the details as he had no knowledge of official procedure as such he had submitted all the relevant information including his date of birth at the time of his appointment. Since then, he had worked continuously without any complaint. Now, it has come to the notice of the petitioner that the date of birth was recorded as 26-5-45 i.e., 33 years on the date of his appointment in the company as the same was not correct. The petitioner requested the authorities to correct his age in their records. He was asked to produce his date of birth certificate as 6-1-1952. Then the petitioner obtained his transfer certificate on 15th October, 1984 from the school and produced the T.C. showing his date of birth as 6-1-1952. Further as directed by the management the petitioner also submitted affidavit attested by the Munsiff Magistrate, showing his date of birth as 6-1-1952. That thereafter nothing has been heard from the company. Therefore, he approached Singareni Mines Engineering Workers Union and the union has raised an industrial dispute questioning the action of the respondent in not correcting the record. The ALC(C)/Conciliation Officer conducted several meetings between him and management. But the management refused to correct the date of birth. The ground taken by them was that as per Vocational Training Certificate his qualification is shown as VII class and whereas Transfer Certificate shows his qualification as IV class. He submitted failure report but as there was no reference by the Central Government, the petitioner filed W.P. No. 5084/93 and the same was allowed on 29-8-2000. So as per the directions of the Hon'ble High Court, this reference was made by the Central Government. That it has come to his notice in the year 1984 that his date of birth is not correctly recorded, he obtained the transfer certificate and produced the transfer certificate issued by the Head Master, Zilla Parishad Secondary School, Mulkanoor dated 15-10-1984 which was duly countersigned by the Deputy Educational Officer and further he also gave affidavit to this effect that his

date of birth is 6-1-1952. He has also obtained the certificate of Sarpanch of Gram Panchayat dated 8th March, 1991 confirming the date of birth of the petitioner as 6-1-1952. Even the driving license of the petitioner shows his date of birth as 6-1-1952. The grounds raised by the respondent for not correcting the age are flimsy and he will lose 7 years of service. Hence, an award may be passed directing the respondent to correct the date of birth of the petitioner as 6-1-1952.

3. A counter was filed stating that Mr. K. Rama Rao, the workman in question has been appointed in the services of the company on 28-5-78 as driver. He was sent for initial medical examination as required under the Mines Rules. The certifying surgeon who had examined the petitioner has certified the petitioner's age as 35 years on 26-5-78 in Form-O Medical examination report. The same age was recorded in all the records of the company, i.e., Vocational Training Certificate, Service Book, Form “B” Register and CMPF nomination etc. The petitioner has signed-affixed thumb impression in service book and in Form “B” Register wherein his age and other particulars are recorded. Initially he declared his qualification as 7th class.

4. During the year 1985 he submitted an application enclosing there with a transfer certificate from Zila Parishad Secondary School, Mulkanoor stating that he could not produce the date of birth certificate at the time of his appointment due to some reasons and requested the management to change his date of birth obtained by him on 15-10-84 as 6-1-52. He was informed that it cannot be accepted. Interestingly, the above transfer certificate submitted by Sri K. Rama Rao shows that he is a student of class IV as on 3-7-63 and he is not qualified for promotion to higher classes. It also shows that the petitioner left the school on 29-2-64.

5. Further the workman submitted another certificate signed by the Head of Institution, Zila Parishad Primary School, Mulkanoor. The signatures on the transfer certificate and the subsequent certificate dated 19-3-85 are different. Subsequently, during 26-9-97 when periodical medical examination was held as per Coal Mines Regulations, his age was assessed as 54 years. Therefore, the respondent could not accede to the request of the petitioner. On submission of failure report by the ALC(C), Central Government did not think it to be a fit case for reference. However, in view of the Hon'ble High Court's direction in a writ filed by the petitioner the case was referred. The guidelines given by JBCCI regarding review/determination of date of birth in respect of existing employees as per clause “B” of implementation instruction-76 is reproduced hereunder.

“(i) (a) the case of the existing employees Matriculation certificate or Higher Secondary Certificate issued by the recognized Universities or Board or Middle pass certificate issued by the Board of Education and/or Department of Public Instruction and admit cards issued by the aforesaid bodies should be treated as correct provided they were issued by the said Universities/Boards/Institutions prior to the date of employment.

Provided that where both documents mentioned in (i)(a) above are available, the date of birth recorded in (i)(a) will be treated as authentic.

- (ii) Wherever there is no variation in records, such cases will not be reopened unless there is a very glaring and apparent wrong entry brought to the notice of the Management. The Management after being satisfied on the merits of the case will take appropriate action for correction through age determination committee/Medical Board."

6. In fact the JBCCI circular dated 1-8-88, the rule provide that Transfer Certificate and the other certificate of the nature submitted subsequently by the workman should be accepted only if it is VII class pass or X class pass and obtained before the date of appointment. In the instant case, the workman it appears has not even passed VII class as per the records. The second defect in the case of the workman is that he actually obtained even the Transfer Certificate only after being 7 years in employment. Therefore, for all these reasons it is difficult to accept the contention of the workman. The averments in respect of satisfaction of his superiors and other such averments are of put to strict proof of his coming to know that his date of birth is 26-5-45 i.e. 33 years. This itself is a wrong statement, as in fact the age is shown as 35 years on the date of his appointment. In the absence of concrete and reliable proof the respondent rightly could not accept the documents filed by the workman.

7. That the management conducts medical fitness tests for every employee and these are statutorily required. In 1990 at the behest of the union, the respondent had entered into settlement in respect of clearing all pending disputes of this nature and all such cases will be referred to the Medical Board where also his age was assessed as 54 years. Hence, the petitioner is not entitled for any relief.

8. The petitioner examined himself as WW1 and deposed to the said facts stated in the claim petitioner in the chief examination and stated that the transfer certificate dated 15-10-84 xerox copy is Ex. W1 which shows his date of birth as 6-1-52, original of Ex. W1 was misplaced with the union leaders. For which he made a police complaint and the police issued a certificate that they could not trace out the transfer certificate, which is Ex. W2. Ex. W3 is the date of birth certificate from Head Master of the school. Duplicate certificate of Ex. W1 is Ex. W4. Failure report of ALC(C) is Ex. W5. As the Central Government did not refer the matter, he filed a writ before the Hon'ble High Court, orders of the Hon'ble High Court is Ex. W6. Ex. W7 is the certificate issued by the village Sarpanch. Ex. W8 is the affidavit sworn in by him before the Munsiff Magistrate, Sultanabad. Ex. W9 is the Xerox copy of the driving licence. Hence, the respondent may be directed to correct his date of birth as 6-1-52.

9. Cross-Examination : That he studied upto IV standard and discontinued his studies. From 1969 he has been working as helper to mechanic and became a driver in 1974. He applied for the post of

driver and also attended the interview in March, 1978. He was sent for medical examination. Xerox copy of the appointment order is Ex. M1. Biodata is Ex. M2 which bears his signature. Ex. M2 shows his age as 35 years. It is not true to suggest that his wife's age was shown as 29 years by him on the date of his appointment. His wife is around 42 years today. Their elder son was born on 30-6-76. It is true that in the service card his age was shown as 35 years and he is prepared since he entered the service and it also bears his signature. Later on 1982, the clerk filling muster rolls mentioned his age as 32 years as per what WW1 told him. It is true that the forms are filled as per information given by him when asked. He obtained Ex. W4 duplicate transfer certificate in 1991 because the respondent refused to accept the date of birth certificate. W3 obtained in 1985. He was born at Kistapuram Village. He has no paper with him when he was appointed. His date of birth is not there in renewal of his driving licence in 1998. He can now sign in English since last 4 to 5 years. He denied that he could sign in English even when he joined service. He denied that Ex. W1, Ex. W3 and Ex. W4 are false and brought into existence to make a false claim.

10. The management examined Mr. K. Chandra-mouli, who is working at Deputy Personal Manager at Godavarikhani since 1997. He also stated in the chief examination what all stated in the counter. He further stated that as WW1 produced the certificate after six years of appointment does not fit to be considered as per rules. Ex. M1 is the appointment letter, Ex. M2 is MVTC certificate mentioning the date of birth. Ex. M3 is the PF nomination form mentioning date of birth. Ex. M4 is the service book/record. Ex. M7 dated 24-4-85 is another certificate. Ex. M8 is the conciliation proceedings report which ended in failure. Ex. M9 is Central Government letter refusing to refer the matter to the Hon'ble Tribunal. Ex. M10, Ex. M11, Ex. M12 regarding letter from Desk Officer. And company's circular and JPCCI implementation instructions, No. 76 regarding age dispute. Ex. M13 is the EPR form. Ex. M14 memorandum of settlement dated 12-3-90. Ex. M15 is the letter issued to the party informing the case does not merit for conciliation.

11. In the cross-examination he deposed that he has not filed the mines rules. That they are having standing orders. That as per standing orders the age limit for appointment of operator and driver is 35 years. That they informed the age to the workman after medical examination at the time of appointment orally. It is not correct to suggest that he was not informed the age. The age of the candidate would be determined by clinical examination, by dental examination and X-rays etc., as per the procedure. It is not true that he informed the date of birth as 6-1-52. Ex. M2 was signed by WW1 in Telugu. It is correct that it was mentioned in Ex. M2 that WW1 knows only Telugu and Hindi. He denied that his signature was taken on Ex. M2 and subsequently filled up the contents. He do not contact the concerned school to find out whether Ex. M5 is genuine or not. They rejected the application of the WW1 as per Ex. M11 and Ex. M12. It is true that M11

and Ex. M12 were issued after WW1 gave an application for alteration of his date of birth. The witness adds that Ex. M11 and Ex. M12, which are revised the implementation instruction No. 37 of dated 5-2-81. He has not filed the same that they are prepared Ex. M113 and WW1 signed in English.

12. In the re-examination he deposed that he did not give any complaint about Ex. M2. It is not correct to suggest that signature was taken on Ex. M2 first and later the column was filled up.

13. It is argued by the Learned Counsel for the petitioner that the petitioner was appointed in the year 1978. At the time of his appointment he has submitted all the papers including transfer certificate issued by the school in proof of his date of birth as 6-1-52 and in fact he had mentioned his date of birth as 6-1-52 in his application itself though he was sent for medical examination he was not given any orders as to the assessment of his age while so it had come to the notice of the petitioner that his date of birth was recorded as 26-5-45 that is 33 years on the date of appointment. When it was brought to the notice of the respondent that his age was not correctly recorded he was asked to submit the school transfer certificate accordingly he obtained duplicate transfer certificate on 15-10-1984 from the school which was duly certified by the D.E.O. and submitted the same to the management. He also submitted his affidavit duly attested by the Munsiff Magistrate showing his date of birth as 6-1-52.

14. There was no response from the management. Therefore, he approached the Singareni Mines Engineering Workers Union and the said union raised an industrial dispute questioning the action of the management in not correcting his date of birth. The Conciliation Officer conducted several meetings, but to no use. The management did not agree to rectifying the record on the ground that the education qualification of the petitioner as per the vocational training certificate is 7th class and whereas the transfer certificate shows his educational qualification as 4th class. The Conciliation Officer submitted his report under proceedings No. 1/10/87-E3 dated 24-2-1988 and as there was no reference by the Central Government the petitioner filed W.P. No. 5084/93 and the same was allowed on 29-8-2000 and the Central Government made the reference to the Hon'ble Tribunal. He had the following documents showing his date of birth, namely :—

- (i) Transfer certificate issued by the School duly certified by the Deputy Educational Officer.
- (ii) The certificate issued by the then Head Master of Z. P. Secondary School, Mulkanoor on 19-3-1985.
- (iii) Certificate issued by the Sarpanch Gram Panchayat dated 8-3-1991.
- (iv) Driving Licence of the petitioner.

15. It is admitted by the respondent that the petitioner has submitted his vocational training certificate at the time of his appointment which clearly shows his date of birth as 6-1-52. Therefore, the Respondent had no right to change the date of birth unilaterally

without any notice to the petitioner. The circular dated 1-8-98 is not applicable to the petitioner as he sought for correction much prior to the issuance of the said circular. Once, the documents produced by the petitioner are correct and genuine there cannot be any reasonable objection to correct the age. The refusal on the part of the management is more technical than legal. The scope of industrial dispute is very wide and the same cannot be restricted to the letter and circulars issued by the management from time to time. The petitioner is a S.C. from a poor family and having a large family of dependents. If he is thrown out of employment prior to his retirement will result in irreparable loss and hardship to him. That the Hon'ble Court may direct the respondent to correct his date of birth as 6-1-52 and pass order or orders as deem fit and proper.

16. It is argued by the Learned Counsel for the respondent that his industrial dispute has been referred to the Industrial Tribunal pursuing to the petitioner having filed a W.P. Earlier the Central Government had actually refused to refer the matter, the term of reference is as follows: "Whether the ID raised by Sri K. Rama Rao, against the management of M/s. Singareni Collieries Co. Ltd., to correct his date of birth as 6-1-52 on the basis of transfer certificate issued by the school authorities which was produced by him is justified? If so, to what relief Sri Rama Rao is entitled to?"

17. That claim statement averments briefly are that the petitioner was appointed in the Respondent Company in 1978 after medical examination. The allegation is that the petitioner was not given any information about his age as assessed by the Doctor at the time of the petitioner's appointment. The petitioner claims ignorance of official procedure. His contention is that he has submitted all the relevant information including his date of birth certificate at the time of his appointment. That subsequently, he came to know that his date of birth was recorded as 26-5-45 and that was not correct. He requested the authorities to change the date of birth as 6-1-52 only a transfer certificate dated 15-10-84 was produced. An affidavit was also submitted by him showing his date of birth as 6-1-52.

19. As there is a dispute over age, the petitioner raised the dispute before the Assistant Commissioner of Labour and after several meetings, a failure report was submitted. It is pertinent to note that in the claim petition the petitioner states that as per the petitioner's vocational training certificate itself his qualification is shown as 7th class whereas the transfer certificate is showing his educational qualification as 4th class. The failure report was not referred to the Tribunal by the Central Government. However, the petitioner filed W.P. No. 5084/93 and the same was allowed on 29-8-2000 and hence the reference.

20. The petitioner claims that he came to know the wrong date of birth only in 1984 and then only he obtained a certificate showing his age which is a certificate from Zilla Parishad Secondary School countersigned by D.E.O. A counter was filed stating that the appointment to the post of the operator was on the basis of educational qualification which is 7th

class pass as recorded in the Service Book and vocational training certificate which is submitted at the time of his appointment and his age after medical examination was determined as 35 years in 1978 itself and the forms were duly signed by the petitioner in that regard. Interestingly as per the company's rules what all the certificates needs to be submitted for employment had to be given at the time of appointment and though the petitioner gave the vocational training certificate he did not choose to file the transfer certificate. It is submitted that the Hon'ble Tribunal is not called upon to determine the age of the petitioner but to see whether petitioner's age should be corrected on the basis of documents given by the petitioner much after his appointment itself are prima facie contradictory.

21. The management had examined witness MW1 who has stated that as per the guidelines issued through circular No. 149/4702/IR/1270 dated 1-8-88, a Matriculation certificate or the HSC certificate or Board pass certificate for public examination should be treated as correct, if issued prior to employment. If such documents are not submitted only there is a glaring and apparent wrong entry and after satisfying with proper reasons as to why such a mistake occurred the case should be reopened and correction made in the record after referring for age determination to the Age Determination Committee and the Apex Medical Court. In this case no such glaring or wrong entry is there. The petitioner had not submitted the same at the time of his appointment. His appointment was after due and proper medical examination. Again, when he went for periodical medical examination in 1997 his age was mentioned as 54 years and the same was accepted by the petitioner. Therefore, it is submitted that the evidence also suggests that the management has correctly rejected the petitioner's contention and refusal to change the date of birth. Management also marked Ex. M1 his appointment letter, Ex. M2 certificate mentioning his date of birth, Ex. M3 PF nomination form, Ex. M4 Service Record, Ex. M5 Transfer Certificate, Ex. M6 School certificate, Ex. M7 confirmation of age, Ex. M8 conciliation proceedings, Ex. M9 the Central Government refusal to refer the matter, Ex. M10 to Ex. M12 are company's circulars and instructions regarding age determination, Ex. M13 EPR form, Ex. M14 Memorandum of Settlement dt. 12-3-90 and Ex. M15 is the letter issued to the party. The contention that his signature was taken on blank paper at the time of his appointment is too far-fatching. More so, he is an elder person. The driving licence not a valid documents are regard to date of birth. That the declaration of age and the correction of the same is a declaratory relief which is outside the purview of the I.D. Act and this is not a declaratory suit. The management also relies on, "2001, LIC, Page-1400, Hindustan Lever Ltd., Appellant Vs. S. M. Jadhav and another."

22. It may be pertinent to see that the matter raises 3 points, No. 1 : Whether it is an industrial dispute, even if it is taken as industrial dispute, the question that would arise is did he furnish any information regarding his date of birth. The present aspect is not only the petitioner is silent whether vocational training certificate shows that he has passed 7th class reference to his date of birth and neither the respondent who

admits that he gave vocational training certificate was produced at the time of appointment and accordingly his service entries were made takes care to file the same. Obviously, the said vocational training certificate does not show his date of birth when he was appointed on 28-5-45. Ex. M14 is a memorandum of settlement between the union and the management. Paragraph No. 7 deals with age disputes "A" is concerned with say "B" reads thus, "grievance committee, Conciliation Officers/Tribunals if any will be referred to Medical Board." The said settlement is dated 12-3-90. The respondent refused to refer the matter to the Apex Medical Board directly when reading through the age determination committee vide agreement dated 12-3-90 marked as Ex. M14. On the ground that it was not pending before the Conciliation Officer or the Industrial Tribunal. It may be seen that the Hon'ble High Court's Judgment in W.P. No. 5084/93 the Hon'ble High Court held that the matter should be referred to the Industrial Tribunal. However, the prayer in the W.P. itself was either to direct the respondent to refer the matter to the Industrial Tribunal or in the alternative direct the respondent to refer the petitioner to the Apex Medical Board for assessment of his correct age. It may be safely concluded that the petitioner claim to have passed 7th class he filed the vocational training certificate where it was shown that he has passed 7th class which is admitted by the respondent. It is neither the contention of the petitioner nor the respondent that his age is shown in vocational training certification where his qualifications are shown as 7th class. Obviously, his date of birth was shown. all these litigations would not have arisen. So far as these certifies that is all the documents produced by the petitioner in proof of his age are concerned : Namely, Ex. W1 where he has shown to have passed 4th class. The application is made on 15-10-84 and it was issued on 15-10-84. It shows his date of birth as 6-1-52. Ex. W2 shows he lost his Transfer certificate therefore, a duplicate is issued. Date of birth certificate is also marked as Ex. W3 basing on the school record namely Ex. W1. All these things will not help the petitioner to prove his age as any age could have been given in the certificates more so, when there is so much lapse after 1978 and when he is claimed to have been passed 7th class, producing 4th class certificates throws at doubt on the genuineness of these certificates. And if he was really interested in proving the certificates he should have been summoned the registers from the school and shown those registers to the Court. This appears to be belated exercised. Further, there is some dispute regarding his age. No doubt, he raised the dispute on 10-1-87 and it resulted in failure on 24-2-88. Central Govt. refused to refer the matter and he had no option but to file a W.P. in 1993. He filed W.P. in 1993 and the Hon'ble High Court directed on 29-8-2000. That matter may be referred to the Industrial Tribunal. It may be seen that Ex. M14 Bi-partite Settlement is dated 12-3-90 and the conciliation failed on 24-2-89 and the Central Government refused to refer the matter on 21-3-88. When the settlement Ex. M14 was entered into on 12-3-90 the matter was refused by the Government on 12-3-88. But the said refusal has been challenged by way of writ in 1993. No doubt, it was raised in 1993 and the Hon'ble High Court by Judgment dated 29-8-2000 set aside the order

Ex. M10 dated 21-3-88. It means that for all practical purposes that order is not there. Hence, it will be deemed that there was a dispute pending on the date of Bi-partite agreement dated 12-3-90 vide Ex. M14 and as there is no sufficient proof of the alleged date of birth of 6-1-52 of the petitioner and his date of birth also has been assessed as 26-5-45 by medical examination. I am of the opinion that the matter should be referred as in Ex. M14 clause 7 (B) to Apex Medical Board. The prayer also in the said W.P. was either to declare the impugned order as illegal on 21-3-88 or to refer the matter to the Apex Medical Board. Hence, the reference is ordered accordingly. That the date of birth of Sri K. Rama Rao confirmed or corrected shall be as determined by the Apex Medical Board after sending him directly without routing through the Age determination Committee in view of Ex. M14 dated 12-3-1990. And the age on receipt of the said report may be confirmed or altered accordingly. In the result, the award is passed directing the Respondent to refer the petitioner to the Apex Medical Board directly without routing through the Age Determination Committee within 30 days from the publication of this award and the age determined by the Apex Medical Board will be the correct age of the petitioner Sri K. Rama Rao and his superannuation will be as per the date of birth given by the Apex Medical Board.

Award passed accordingly. Transmit.

Dictated to Kum. K. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me on this the 26th day of April, 2002.

E. ISMAIL, Presiding Officer

APPENDIX OF EVIDENCE

Witnesses examined for the
Petitioner:

WW1 :—Sri K. Rama Rao.

Witnesses examined for the
Respondent:

MW1 :—Sri K. Chandramouli.

MW 2:—Sri L. B. Nageswara Sarma.

Documents marked for the Petitioner

Ex. W1:—Copy of Transfer certificate.

Ex. W2:—Certificate from Sub-Inspector of Police, GDK II incline.

Ex W3:—Date of birth certificate dt. 19-3-85.

Ex. W4:—Duplicate of Ex. W1.

Ex. W5:—Copy of failure of conciliation report dt. 24-2-88.

Ex. W6:—Copy of W.P. No. 5084/93 dt. 29-8-2000.

Ex. W7:—Certificate from Sarpanch, Mulkanoor dt. 8-3-91.

Ex. W8:—Affidavit by WW1 before Munsiff Magistrate dt. 17-10-86.

Ex. W9:—Copy of driving licence.

Documents marked for the Respondent

Ex. M1:—Copy of Appointment order No. AGMR 2|00|6|739 Dt. 14-5-78.

Ex. M2:—Copy of MVTC certificate.

Ex. M3:—Copy of PF nomination form.

Ex. M4:—Copy of service record.

Ex. M5:—Copy of Transfer certificate.

Ex. M6:—Copy of date of birth certificate dt. 19-3-85.

Ex. M7:—Copy of Lr. No. P.R.G|52|1323 dt. 24-4-85.

Ex. M8:—Copy of Conciliation proceedings F. No. 1|10|87-E3 dt. 27-1-88.

Ex. M9:—Copy of failure of conciliation report dt. 24-2-88.

Ex. M10:—Copy of Lr. No. L-21012|19|91-D. III(B) dt. 21-3-88.

Ex. M11:—Copy of circular No. P. 49|4702|IR|1278 dated 1-8-88.

Ex. M12:—Copy of Instn. No. CIL|NCWA|III|I.I.No. 76|88|185 dt. 25-4-88.

Ex. M13:—Copy of personal record of WW1.

Ex. M14:—Copy of Lr. No. P. 40/4833/IR/554 dt. 12-3-90, Memorandum of settlement.

Ex. M15:—Copy of Lr. No. 00/111/1125 dated 21-11-90.

Ex. M16:—Copy of representation of WW1 dt. 26-3-85.

नई दिल्ली 30 जुलाई, 2002

का.प्र. 2782.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ई.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण असनसोल पंचाट (संदर्भ संख्या 150/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-07-2002 को प्राप्त हुआ था।

[सं. एल-22012/24/99-आईआर (सी-II)]

एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 30th July, 2002

S.O. 2782.—In pursuance of Section 17 of the Industrial Tribunal-cum-Labour Court, Asansol as Central Government hereby publishes the award (Ref. No. 150/1999) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ECL and their workman, which was received by the Central Government on 29-7-2002.

[No. L-22012/24/99-IR(C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, ASANSOL

PRESENT :

Shri Ramjee Pandey.—Presiding Officer.

Reference No. 150 of 1999.

PARTIES :

Agent, Nimcha Colliery. . . Management
Vrs.

Sh. Sitaram Nonia. . . Workman

REPRESENTATION :

For the Management.—Shri P. Goswami, Advocate.

For the Workman (union).—None.

INDUSTRY : Coal. STATE : West Bengal.

Dated, the 3rd July, 2002.

AWARD

In exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947, Government of India through the Ministry of Labour by its Order No. L-22012/24/99/IR(CM-II) dated 31-8-99/8-9-99 has referred the following dispute for adjudication by this Tribunal.

“Whether the action of the management of Nimcha Colliery, Satgram Coalfields Ltd. by forcefully superannuating Sh. Sitaram Nonia, Wagon Loader on 22-3-97 and not considering the mid point of the age assessed by the Apex Medical Board on 13-2-98 is legal and justified? If not, to what relief the workman is entitled?”

After receiving the reference summons were sent to the parties by registered post. In response to the summons both the parties appeared through their representatives. The management filed their written statement after several adjournments but the union (workman), even after giving last warning for filing written statement, neither submitted written statement nor appeared before the court. From the conduct of the union (workman) it is clear that they are not interested to contest the dispute. Hence a ‘No Dispute Award’ is passed.

RAMJEE PANDEY, Presiding Officer

नई दिल्ली, 2 अगस्त, 2002

का.अ. 2783.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई. सी. एल. प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निम्नलिखित औद्योगिक विवाद में
2578 GI/2002—24

केन्द्रीय सरकार औद्योगिक अधिकरण असनसोल पंचाट (संदर्भ/संख्या 104/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 01/08/2002 को प्राप्त हुआ था।

[सं. एल-22012/60/99-आईआर (सी-II)]

एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 2nd August, 2002

S.O. 2783.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 104/1999) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ECL and their workman, which was received by the Central Government on 1-8-2002.

[No. L-22012/60/99-IR(C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, ASANSOL

PRESENT :

Shri Ramjee Pandey.—Presiding Officer.

Reference No. 104 of 1999.

PARTIES :

Agent, Kottadih Project . . Management
Vrs.

Sh. Umesh Shaw. . . Workman

REPRESENTATION :

For the Management.—Shri P. K. Das, Advocate.

For the Workman (Union).—None.

INDUSTRY : Coal. STATE : West Bengal.

Dated, the 8th July, 2002

AWARD

In exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947, Government of India through the Ministry of Labour by its Order No. L-22012/60/99/IR(CM-II) dated 30-7-99/3-8-99 has referred the following dispute for adjudication by this Tribunal.

“Whether the action of the management of Kottadih Project of M/s. ECL in not regularising Sh. Umesh Shaw, M. M. Apprentice (Cat. I) as Clerk w.e.f. 1991 is legal and justified? If not, to what relief is the workman entitled?”

After receipt of the reference summons were sent to the parties by registered post. In response to the summons both the parties appeared through their representatives. Despite several adjournments neither

the management nor the union (workman) filed written statement. The union even did not appear before the court. It seems that both the parties are not interested to contest the dispute. Hence a 'No Dispute Award' is passed.

RAMJEE PANDEY, Presiding Officer

नई दिल्ली, 2 अगस्त, 2002

का.आ. 2784.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई. सी. एल. प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण असनसोल पंचाट (संदर्भ संख्या 22/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 01-08-2002 को प्राप्त हुआ था।

[सं. एल-22012/198/2000-आईआर (सी-II)]

एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 2nd August, 2002

S.O. 2784.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 22/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ECL and their workman, which was received by the Central Government on 1-8-2002.

[No. L-22012/198/2000-IR(C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, ASANSOL

PRESENT :

Shri Ramjee Pandey.—Presiding Officer.

Reference No. 22 of 2001.

PARTIES :

Agent, Satgram Project of ECL. . . Management

Vrs.

Shri Krishna Kora,

U. G. Trammer. . . Workman

REPRESENTATION :

For the Management.—Shri P. K. Das, Advocate.

For the Workman (Union).—None.

INDUSTRY : Coal. STATE : West Bengal.

Dated, the 15th July, 2002.

AWARD

In exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947, Government of India through the Ministry of Labour by its Order No. L-22012/198/2000-IR(C-II) dated 14-6-2001 has referred the following dispute for adjudication by this Tribunal.

“Whether the action of the management of Satgram Project Incline in dismissing the service of Sh. Krishna Kora, U. G. Trammer, w.e.f. 22-7-1999 is legal and justified? If not, what relief Sh. Krishna Kora is entitled to?”

After receiving the reference summons were sent to the parties by registered post. In response to the summons both the parties appeared through their representatives but did not file written statements. Several adjournments were also given to the parties but neither the management nor the union filed written statement. Even the union (workman) did not appear before the court today. It seems that no party is interested to contest the dispute. Hence a 'No Dispute Award' is passed.

RAMJEE PANDEY, Presiding Officer

नई दिल्ली, 5 अगस्त, 2002

का.आ. 2785.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेंट्रल रेलवे, मुम्बई के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. II, मुम्बई के पंचाट (संदर्भ संख्या सी जी आई टी-2/2002 ऑफ 1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-08-2002 को प्राप्त हुआ था।

[सं. एल-41012/165/99-आईआर (बी-I)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 5th August, 2002

S.O. 2786.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (CGIT-2/202 of 1999) of the Central Government Industrial Tribunal No. II, Mumbai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Railway, Mumbai and thier workman, which was received by the Central Government on 2-8-2002.

[No. L-41012/165/99-IR(B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. II, MUMBAI

PRESENT :

S N. Saundankar, Presiding Officer.

Reference No. CGIT-2/202 of 1999

Employers in relation to the Management of
Central Railway, Mumbai.

The General Manager,
Central Railway,
Mumbai CST,
Mumbai.

AND

Their Workmen

Shri Ashok Kashinath Salunke,
Haddiwala Chawl, Nr. Bajrang Mandir,
Upali Ngr., At and Post, Bhusawai,
District Jalgaon.

APPEARANCES :

For the Employer : Ms. D. Fernandes, Advocate
holding for Mr. Suresh Kumar.

For the Workmen : S/Shri V. K. Pradhan and
Suhas Gore, Advocates.

Mumbai, dated 22nd July, 2002

AWARD—PART-I

The Government of India, Ministry of Labour, by its Order No. L-41012/165/99/1R(B-I) did 9-11-99, in exercise of the powers conferred by clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act have referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Central Railway, Bhusawal in terminating the services of Shri Ashok Kashinath Salunke, with effect from 31-5-95 for his alleged absence from duty is legal and justified? If not, to what relief the workman is entitled?"

2. Workman, Salunke was appointed as Ladder-man in Bhusawal Division, Central Railway, Mumbai on 11-6-78. By way of Statement of Claim (Exhibit-5) workman contended that in August, 1993 he was transferred to Badnera as R.R. Bearer and averred that his wife and sister viz. Sunanda Pagare were suffering from TB, who were dependant on him. He had also to look after his parents, two brothers and sister. His father was also sick, therefore he was on leave. It is contended that he was charge sheeted for unauthorised absence from 12-4-93 to 13-6-93 and from 6-9-93 to 25-1-94. His absence as above was due to illness of his wife and sister. It is the contention of workman that he participated in the inquiry, however he was not allowed to be represented through a defence representative saying it was a formal inquiry and that he would be let-off without any punishment as his absence was for genuine reasons. It is contended that workman was not allowed to adduce evidence in support of his case and that he was not given proper opportunity, therefore inquiry is not fair and further contended that findings of the inquiry officer are perverse. Therefore he contended the inquiry vitiated, since conducted against the Principles of Natural Justice.

3. Management Central Railway resisted the claim of workman by filing Written Statement (Exhibit-6) contending that the inquiry was conducted as per the

provisions of Railway Servants (Discipline and Appeal) Rules, 1968. He was given charge sheet dated 9-1-95 charging him for remaining absent unauthorisedly from 12-4-93 to 13-6-93 and from 6-9-93 to 25-1-94. It is contended that workman though received the charge sheet did not reply nor engaged Defence representative. He participated in the inquiry held on 2-5-95 and that the inquiry officer held him guilty for the unauthorised absence by the report dated 3-5-95 and that Disciplinary Authority dismissed the workman for major misconduct of unauthorised absence vide order dated 31-5-95. It is the contention of management that workman had filed appeal against the order of dismissal before the Appellate Authority, however, that was turned down and the revision dated 1-12-95 was rejected on 6-1-96. Management therefore contended inquiry was fair and proper and the findings are based on the evidence and the material before inquiry officer, and consequently needs no interference.

4. On the basis of the pleadings preliminary issues were framed at Exhibit-9 and in that context workman Salunke filed affidavit in lieu of Examination-in-Chief (Exhibit-10) and closed evidence vide pursis (Exhibit-14) and that Shri Nagdewe, Loco Inspector, Badnera filed affidavit (Ex-15) and closed evidence on behalf of the management (Exhibit-17).

5. Workman filed written submissions (Ex.-18) and the management (Ex.-19) with list of rulings (Ex.-21). On hearing the Learned Counsels and perusing the record and the written submissions, I record my findings on the following preliminary issues for the reasons mentioned below :

Issues	Findings
1. Whether the domestic inquiry which was conducted against the workman was against the Principles of Natural Justice?	No.
2. Whether the findings of the inquiry officer are perverse?	No.

REASONS

6. Admittedly management conducted domestic inquiry against the workman Shri Salunke for his unauthorised absence from 12-4-93 to 13-6-93 and from 6-9-93 to 25-1-94. According to workman he participated in the domestic inquiry, however the inquiry officer told him that inquiry was formal and he would be let-off without any punishment as his absence was for genuine reasons and added that he was not given proper opportunity to prove his innocence and therefore inquiry vitiated. Workman admits that he had received charge sheet dated 9-1-95 alleging his unauthorised absence for the period referred to above which he did not reply. It is to be noted that workman himself admits he was absent during the period as above which he did not apprise to the office as he was unwell. This clearly indicates that he had understood the charge on his absence and that in his presence witnesses were examined. So far the contention of workman that he was not allowed to engage defence representative since the inquiry was formal nothing of the sort on record. On perusal of the inquiry proceedings and documents with her (Exhibits 7 and 8) shows workman was asked on engaging Defence Representative, but, he denied, therefore hardly can be said

that no opportunity was given on that count to workman. Inquiry Officer Mr. Nagdewe clearly stated in his evidence that he had asked the questions to the workman which he understood and that the answers recorded in the inquiry proceedings of which copies admittedly workman received. Had he any grievance on that, he would have objected the same, however that appears to have not done, it is therefore clear that workman after-thought pointed out that he was not given opportunity.

7. Their Lordships of Supreme Court in *Sur Enamel and Stamping Works Vs. Their Workmen* 1963 II LLJ SCC pg. 367 ruled that inquiry cannot be said to have been properly held unless :

- (1) The employee proceeded against has been informed clearly of the charges levelled against him.
- (2) The witnesses are examined ordinarily in the presence of the employee in respect of the charges.
- (3) The employee is given fair opportunity to cross-examine witnesses.
- (4) He is given a fair opportunity to examine witnesses including himself in his defence if he so wishes on any relevant matter, and
- (5) The enquiry officer records his findings with reasons for the same in his report.

In the inquiry as stated above, charge was of unauthorised absence which was very clear and from the record it is seen workman was present and that he admits on his absence as above which he did not apprise the management. The question whether Principles of Natural Justice have been followed or not is to be found out on consideration as to whether the procedure adopted by the appropriate authority is in accordance with the law or not and further whether the delinquent knew what charges he was going to face. In short, what is required to be seen is whether the workman knew the nature of question, whether he has been given opportunity to state his case, whether the authority has acted in good faith. In the case in hand nothing to show that Principles of Natural Justice have been contravened.

8. So, far the perversity of findings is concerned, except a single word nothing on record. 'Perversity' is that when the findings are such which no reasonable person would have arrived at on the basis of the material before him. Workman admits on the unauthorised absence and that the same finding has been recorded by the inquiry officer, therefore there is no substance in the contention that the findings are perverse. Therefore the inquiry being fair and proper and the findings not perverse, hardly can be set aside. Consequently preliminary issues 1 and 2 are answered in the negative and hence the order :—

ORDER

The domestic inquiry which was conducted against the workman was as per the Principles of Natural Justice.

The findings of the inquiry officer are not perverse.

S. N. SAUNDANKAR, Presiding Officer

नई दिल्ली, 7 अगस्त, 2002

का.अ. 2786.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार वेस्टर्न रेलवे, अजमेर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में औद्योगिक अधिकरण अजमेर के पंचाट (संबंध संख्या सी. आई. टी. आर. 18/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-8-2002 को प्राप्त हुआ था।

[सं. एल-41012/164/96-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 7th August, 2002

S.O. 2786.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (C.J.T.R. 18/97) of the Industrial Tribunal/Labour Court, Ajmer (Raj.) now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Western Railway, Ajmer and their workman, which was received by the Central Government on 6-8-2002.

[No. L-41012/164/96-IR(B-1)]

AJAY KUMAR, Desk Officer

अनुबंध

न्यायालय श्रम एवं औद्योगिक न्यायाधिकरण अजमेर (रा.)
पीठासीन अधिकारी : राजेंद्र सिंह राठौड़, आर्टिक्लैट

सी.आई.टी.आर. 18/97

(रेफरेंस नं. एल-41012/164/96 दिनांक 2-9-1997)

द्वितीयक सेक्रेटरी, पश्चिम रेलवे कर्मचारी परिषद्, 1623/35,
रेलवे कॉसिंग, नाका मंदार, अजमेर —अग्रार्थी

बनाम

डिप्टी चीफ मैकेनिकल इंजीनियर (सी एंड डब्ल्यू) वेस्टर्न
रेलवे, अजमेर —अग्रार्थी

उपस्थित : श्री रामकिशन विद्वान अधिवक्ता, प्रार्थी
श्री बी. डी. भागवत, विद्वान अधिवक्ता, अग्रार्थी

दिनांक :

अवार्ड

1. केन्द्र सरकार के श्रम मंत्रालय द्वारा निम्नांकित
विवाद न्याय निर्णयन के लिए प्रेषित किया गया है :—

“आया उप मुख्य यांत्रिक अभियंता (सी एंड डब्ल्यू)
पश्चिम रेलवे अजमेर द्वारा मिल्टन फ्रांसिस की सेवायें
दि. 3-10-92 से समाप्त करना उचित एवं वैध है ? यदि
नहीं तो उक्त कर्मचारी किस राहत को पाने का अधिकारी
है ?”

2. प्रार्थी श्रमिक ने स्टेटमेंट ऑफ बलेस में निम्नांकित अभिकथन मुख्य रूप से किये हैं:—

(1) प्रार्थी को उप मुख्य यांत्रिक इंजीनियर कैरिज कारखाना पश्चिम रेलवे, अजमेर द्वारा एक ज्ञापन 4-5-91 को जारी किया गया जिसके अन्तर्गत प्रार्थी को पच्चीस बार बड़ी/लघु शास्तियों से दंडित किये जाने की बात को भी सम्मिलित किया गया। प्रार्थी को पूर्व में जारी ज्ञापन 24-7-89 के आरोपों को भी उक्त ज्ञापन 4-5-91 के अन्तर्गत मुख्य आधार बताया गया। जो ज्ञापन 24-7-89 को जारी किया गया था उसमें शास्ति स्वरूप 7-5-91 से प्रार्थी के तत्कालीन वेतन शृंखला 950-1500 को घटाकर शृंखला 750-940 में न्यूनतम वेतन दर 750/- प्रति माह पर तीन वर्ष के लिये भविष्य में प्रभावित करते हुए पदावनत करने की शास्ति पारित की गयी थी। अब उक्त आरोप को पुनः ज्ञापन 4-5-91 में सम्मिलित कर मुख्य आधार मानते हुये प्रार्थी को दंडादेश जारी करना अवैध तरीके से रेलवे सेवा से विनांक 3-10-92 से निष्कासित किया गया है।

(2) प्रार्थी द्वारा जारी ज्ञापन 4-5-91 टेक्नीकली डिफैक्टिव था क्योंकि इस ज्ञापन में जो आधार माना गया है उसके लिये प्रार्थी को पूर्व में ही 24-7-89 के ज्ञापन द्वारा आरोप सिद्ध मानते हुये दंडित किया जा चुका था। इस प्रकार प्रार्थी के साथ प्राकृतिक न्याय के सिद्धांत का हनन हुआ है।

(3) प्रार्थी ने 3-10-92 के आदेश के विरुद्ध अपील पेश की परन्तु अपील निरस्त कर दी गयी व पारित वंड को बहाल रखा गया। इसके विपरीत प्रार्थी ने मुख्य कारखाना अभियंता पश्चिम रेलवे बंबई को भी पुरीक्षण याचिका प्रस्तुत की जिसमें आज दिन तक उसे कोई वापस प्रत्युत्तर प्राप्त नहीं हुआ।

(4) प्रार्थी का निवेदन है कि आदेश 3-10-92 को रद्द किया जावे एवं उसे 3-10-92 से ही रेलवे सेवा में मानते हुये समस्त लाभ-परि लाभ, वेतन, छुट्टी, बोनस, पदोन्नति व भत्तों का लाभ दिया जावे। अन्य अनुतोष न्यायालय के विवेकानुसार प्रार्थी को दिया जावे। प्रार्थी ने आलेखीय दस्तावेज प्रदर्शित उव. 1 लगातार 4 भी पेश किये हैं तथा अपना शपथ पत्र भी बलेस की तारीख में प्रस्तुत किया है जिस पर विपक्षी द्वारा प्रति-परीक्षण पूर्ण कर लिया गया है।

3. अप्रार्थी द्वारा जवाब में यह बताया गया है कि प्रार्थी को अनाधिकृत अनुपस्थित रहने के फलस्वरूप पूर्व में पच्चीस बार लघु/बड़ी शास्तियों से दंडित किया गया था लेकिन इसके उपरान्त भी उसकी उपस्थिति में कोई सुधार नहीं हुआ। यह बोनस स्वेच्छा से बिना पूर्व सूचना एवं अनुमति के दि. 15-2-90 से 8-6-90 एवं 3-1-91 से 8-4-91 तक अनाधिकृत रूप से अनुपस्थित रहा। इस पर ज्ञापन (आरोप पत्र) दि.

4-5-91 को जारी किया गया। जांच कार्यवाही के दौरान प्रार्थी ने बिना किसी भर्त्ता लगाये गये आरोपों को स्वीकार किया।

(2) दि. 24-7-89 के ज्ञापन का संबंध है, उसके साथ पूर्व में दिये गये बारह दंडों की सूची प्रार्थी को मात्र जानकारी देने के लिये दी गयी थी इसमें अंकित किया गया था कि बारह बार दंडित किये जाने के उपरान्त भी उसने अपनी उपस्थिति में कोई सुधार नहीं किया है तथा पुनः 15-5-89 से 9-6-89 तक अनाधिकृत रूप से अनुपस्थित रहा है। इसी अनुपस्थिति के लिये दंडित आदेश 6-5-91 को जारी किया गया।

(3) सविस रिकार्ड के अनुसार प्रार्थी भर्ती वर्ष 77 से वर्ष 91 तक 1335 दिन अर्थात् तीन वर्ष आठ माह पंद्रह दिन कार्य से अनाधिकृत अनुपस्थित रहा। इस प्रकार प्रार्थी के विरुद्ध जांच कार्यवाही नियमानुसार की गयी तथा उसे बचाव का पूर्ण मौका दिया गया तथा जो शास्ति पारित की वह भी सही थी। अप्रार्थी का निवेदन है कि बलेस निरस्त किया जावे। अप्रार्थी की ओर से श्री गजा भाई एम. वसैया उप मुख्य यांत्रिक अभियंता कैरिज वर्कशाप, पश्चिम रेलवे, अजमेर कार्यालय में अनुशासनिक अनुभाग में कार्यरत अधीक्षक है ने शपथ पत्र प्रस्तुत किया है जिस पर प्रार्थी पक्ष ने जिरह पूर्ण कर ली है।

4. दोनों पक्षों को सुनने तथा पत्रावली में पक्ष-विपक्ष के अभिकथन, शपथपत्र एवं आलेखनीय साक्ष्य के अवलोकन पश्चात नियोजित विचार बिन्दु सुसंगत पाये गये :

1 आया ज्ञापन (आरोप पत्र दि. 4-5-91 में पूर्व के लघु/बड़ी शास्तियों का विवरण अंकित करते हुए दंडित किये जाने के तथ्य को आरोप पत्र में अंकित करने पर जांच कार्यवाही प्रार्थी के विपरीत प्रभावित हुई ?

2 आरोप पत्र में 12-2-90 से 8-6-90 तथा 3-1-91 से 5-4-91 तक कार्य से अनुपस्थित रहने के साथ-साथ जो तथा इस प्रकार अंकित किया गया कि प्रार्थी ने चिकित्सा अधीक्षक, पश्चिम रेलवे, अजमेर द्वारा जारी किये गये प्रमाण पत्र सं. 20650 दि. 18-5-90 एवं प्रार्थना पत्र दि. 2-6-90 के आधार पर एवं दि. 3-1-91 से 5-4-91 की अनुपस्थिति के लिए चिकित्सा अधीक्षक पर. अजमेर के प्रमाणपत्र सं. 0051 दि. 30-3-91 के आधार पर 6-4-91 को कार्य पर उपस्थित हुए... उक्त प्रमाण पत्रों की निजी चिकित्सक के अधीन बंमारो पर छुट्टी के संबंध में नियम एसआर 2/8 व एसआर 3/4 की पालना नहीं करने को सेवा समाप्ति आदेश 3-10-92 (प्रदर्शित उव. 3) में अनुपस्थिति का समुचित कारण नहीं मानने का कोई आधार अंकित नहीं किया गया है। अतः उपर्युक्त कारण से क्या दंडादेश अनास्तित्व किये जाने योग्य है अथवा नहीं।

3 आया अपीलिय अधिकारी मुख्य कारखाना प्रबंधक, अजमेर से अपील निरस्त करो संबंधी अपने आदेश 19-8-93 (प्रदर्श डब. 4) ने दंड की प्राप्ति, व प्राप्ति के संबंध सीसीएस(सीसीए) क्लस 1965 के नियम 27(2)(सी) (आई) को पालना का है अथवा यदि नहीं तो इसका क्या असर पड़ता है।

4 अनुतोष

5. प्रत्येक बिन्दु पर हमारा निर्णय प्रकार है : बिन्दु संख्या 1: अप्रार्थी पत्र ने रेल कर्मचारी (आचरण नियम 1966 के नियम 3(ii) व (iii) में यह वर्णित है कि उक्त नियम में हर रेल कर्मचारी हर समय कर्तव्यरायण रहेगा और ऐसा कोई कार्य नहीं करेगा जो रेल कर्मचारी या सरकारी कर्मचारी के लिए अभिनीत हो। (1987) (4) एडमिनिस्ट्रिटिव ट्रिब्यूनल केसेज 92 छोटे-लाल सोनो भारत संघ के पैरा 14 में यह माना है कि बारबार अनाधिकृत अनुपस्थित रहने पर कर्मचारी का आचरण अशोभनीय होने की संज्ञा में आ जाता है मौजूदा ज्ञापन (आरोप पत्र दि. 4-5-91 प्रदर्श डब. 1) में पूर्व के पच्चीस लघु/बड़े शास्तियों के दंडित किये जाने का तथ्य अंकित किया गया है। साथ ही उक्त शास्तियों का पृथक-पृथक विवरण भी संलग्न है। अप्रार्थी का कहना यह है कि उक्त विवरण केवल प्रार्थी की जानकारी मात्र के लिए अंकित किया गया है तथा इसमें 15-2-90 से 9-6-90 तक तथा 3-1-91 से 5-4-91 की अवधि में अनाधिकृत उपस्थित रहने बाबत जो मुख्य आरोप है उस पर किसी भी प्रकार का कुप्रभाव नहीं पड़ता है। अप्रार्थी का उक्त तर्क स्वीकार किये जाने योग्य नहीं है क्योंकि सेवा मुक्ति आदेश 3-10-92 (प्रदर्श डब. 3) में प्रार्थी को आयोजन अनाधिकृत अनुपस्थित रहने के साथ-साथ पुनः 15-2-90 से 8-6-90 व 3-1-91 से 5-4-91 तक की अनाधिकृत अनुपस्थिति के फलस्वरूप दंडादेश पारित किया गया है। इस प्रकार अनुशासनिक अधिकारी ने न केवल उक्त दो अवधियों की अनुपस्थिति का ही आधार बनाया है अपितु पूर्व के आदेशन अनाधिकृत अनुपस्थित रहने के तथ्य को भी सेवामुक्ति का आधार बनाया है। इसके साथ ही अपीलिय अधिकारी ने 1-8-93 के आदेश में यह अंकित किया है कि :

"It is seen that he is most unreliable regarding his attendance to work place."

"In view of his most unreliable attendance in the post, and repeated action taken on him for the sensation offence. I feel that he can not improved upon."

अतः स्पष्ट है कि पूर्व के आरोपों एवं शास्तियों को भी मौजूदा ज्ञापन में 4-5-91 न केवल अंश बनाया गया अपितु जांच अधिकारी ने अपीलिय अधिकारी को निर्णय लेते समय उनकी मनःस्थिति पर भी एक प्रकार का दबाव

निमित्त किया गया। माननीय रतौच्च न्यायालय ने ए आई आर 1999 एस सी 677 कुलदीप सिंह/कमिश्नर आफ पुलिस एवं ए आई आर 1993 एस सी 1197 एस बी आई/डी.सी. अग्रवाल के विनिश्चयों में यह माना है कि विभागीय जांच के दौरान ऐसे मैट्रिक्सल जो अपचारी कर्मचारी को सप्लाई नहीं किये गये हो को आधार बताते हुये सेवा मुक्ति की जो कार्यवाही की गयी है वह चलने योग्य नहीं है क्योंकि इसे रीजनेबल अपाच्युनिटी दिये जाने तथा फेयर इक्वायरी की श्रेणी का नहीं माना जा सकता है। ऐसी परिस्थिति में यद्यपि प्रार्थी का बारबार अनुपस्थित हो जाना रेल कर्मचारी आचरण नियम 1966 के नियम 3(iii) के अन्तर्गत अशोभनीय आचरण है परन्तु जहां तक जांच का ज्ञापन 4-5-91 एवं इसके बाद की कार्यवाही का प्रश्न है उसमें पूर्व शास्तियों को ही दंडादेश पारित करते समय मुख्य आधार बनाया गया है एवं इस कारण इसे प्राकृतिक न्याय के सिद्धांतों के प्रतिकूल करार दिया जाता है।

बिन्दु संख्या-2—ज्ञापन दि. 4-5-91 प्रदर्श डब. 1 में यह तथ्य तो अवश्य अंकित किया गया है कि चिकित्सा अधीक्षक, पश्चिम रेलवे, अजमेर द्वारा जारी दो प्रमाण-पत्र के साथ-साथ प्रार्थी ने 2-6-90 एवं 9-6-90 तथा 6-4-91 को प्रार्थना पत्र के साथ उपस्थिति दी। ज्ञापन में यह भी लिखा हुआ है कि उन्होंने निजी चिकित्सक के अधीन बीमारी पर छुट्टी के नियम एस आर 2/8 एवं एस आर 3/4 का पालन नहीं किया। उक्त नियम एस आर 2/8 एवं एस आर 3/4 क्या है इस बाबत कोई नियमावली अप्रार्थी द्वारा प्रस्तुत नहीं की गयी है।

अप्रार्थी के गवाह गजा भाई एम. वसैया ने जिरह के दौरान यह स्वीकार किया है कि उक्त दोनों अवधियों के बीच छुट्टी पर रहने की सूचना प्रार्थी ने दे दी हो व कारण भी बता दिया हो तो उनकी जानकारी में नहीं है। गवाह का कहना है कि प्रार्थी ने बताया है कि उसके पिता गंभीर रूप से बीमार है तो भी उसकी जानकारी में नहीं है। विधि का यह स्पष्ट सिद्धांत है कि पक्षकारान के अभिकथन साक्ष्य की रीति में नहीं आते हैं। साक्ष्य की संज्ञा में शपथ पत्र व प्रतिपरीक्षण के पश्चात् गवाह के बयान एवं आलेखीय साक्ष्य जो प्रदर्शित कराये गये हो ही माने जा सकते हैं। अतः जब एक ओर ज्ञापन में ही यह अंकित किया गया है कि चिकित्सा अधीक्षक पश्चिम रेलवे अजमेर के साथ प्रमाण-पत्र प्रार्थी ने अपनी उपस्थिति के साथ ही दिये तथा निजी चिकित्सक के अधीन बीमारी के बाबत जिन नियमों एस आर 2/8 एवं एस आर 3/4 की पालना नहीं करने के संबंध में किसी प्रकार की कोई आलेखीय एवं मौखिक साक्ष्य प्रस्तुत नहीं है व साथ ही साथ अप्रार्थी के गवाह अस्वस्थता प्रमाण-पत्र पेश होने बाबत पूर्ण अनभिज्ञता प्रकट करने के ही इस परिस्थिति में यही माना जाना चाहिये कि अप्रार्थी ने अधिकृत चिकित्सा

अपील का ये प्रमाण-पत्र प्रस्तुत किये थे। उन प्रमाण-पत्रों को किस आधार पर अस्वीकृत किया गया यह न तो कार्यमुक्ति आदेश 27-11-92 में ही अंकित है व न ही इसके संबंध में कोई खुलासा जांच रिपोर्ट में निष्कर्ष होना पाया जाता है। अपीलीय अधिकारी ने भी अपने आदेश में उक्त चिकित्सा प्रमाण-पत्रों के संबंध में कोई उल्लेख नहीं किया है, ऐसी परिस्थिति में "प्रॉपर एप्लीकेशन ऑफ माइंड" नहीं पाया जाता है एवं इस कारण भी दंडादेश 27-11-92 जिसके अन्तर्गत प्रार्थी को 3-10-92 से सेवामुक्त किया गया है, अपास्त किये जाने योग्य है।

विदु सख्या 3:—1987 (4) एडमिनिस्ट्रेटिव ट्रिब्यूनल केमेज 1992 छोटेलाल/भारत संघ पैरा 16 व 17 में सीसीएस (सी सी ए) नियम, 1965 के नियम 27(2) (सी) (आर्ट) के संबंध में यह अभिनिर्धारित किया है कि अपीलीय अधिकारी को न केवल इक्वायरी की फाइडिंग्स के सही होने के संबंध में अपना स्वमनन करना चाहिये अपितु जो शास्ति पारित की गयी है उसका अनुपात आरोपों के संबंध में क्या सही रहता है अथवा नहीं इस पर भी स्पष्ट अभिमत व्यक्त करना चाहिये। मौजूदा मामले में अपीली अधिकारी ने आदेश 19-8-93 प्रदर्श ख. 4 में केवल इस प्रकार अंकित किया है कि:—

"as such I decide that punishment imposed upon him should stand."

अतः यह नहीं माना जा सकता "क्वार्टर्स आफ पनिशमेंट" के एप्रोप्रिएट होने या न होने के संबंध में कोई खुलासा विवेचन व निष्कर्ष अंकित नहीं किया है। इस कारण भी दंडादेश की वैधता व अपीलीय अधिकारी द्वारा लेक ऑफ प्रॉपर एप्लीकेशन ऑफ माइंड परिलक्षित होता है। दंडादेश वैधानिक कसौटी पर उचित ठहराये जाने योग्य नहीं पाया जाता है।

आदेश

अनुतोष :—मौजूदा मामले में प्रार्थी ने एक पुनरीक्षण याचिका दायर की थी जो मुख्य कारखाना इंजीनियर चर्च गेट, मुम्बई को अग्रपेपित तो की गयी है परन्तु उसका निस्तारण अभी तक नहीं हुआ है तथा प्रार्थी को इस बाबत कोई अग्रिम सूचना नहीं दी गयी है। अतः 1987 (4) एडमिनिस्ट्रेटिव ट्रिब्यूनल 1992 छोटेलाल सोनी/भारत संघ के पैरा नं. 17, 18 व 19 में अभिनिर्धारित सिद्धांत को सहेनजर रखते हुए सेवा मुक्ति आदेश 27-11-92 जिसके अन्तर्गत प्रार्थी की सेवाएं 3-10-92 के दोपहर बाद से समाप्त की गयी है को अर्बध करार देते हुए अपास्त किया जाता है। साथ ही चूंकि पुनरीक्षण याचिका मुख्य कारखाना इंजीनियर चर्च गेट, मुम्बई के समक्ष अत्यधिक विलंबित होने हुए भी निर्णय के लिए लंबित है। अतः इस बाबत निर्देश दिया जाता है कि इस आदेश के पारित होने के दो साप्ताहिक अवधि में इस न्यायाधिकरण द्वारा किये गये ऑर्गैजेशन को ध्यान

में रखते हुए दंडादेश के संबंध में केवल प्रांतीय न्यायाधिकार 15-2-90, 8-6-90 एवं 3-1-91 से 5-4-91 को अनु-परिस्थिति तक सीमित रखते हुए एवं चिकित्सा अधीनस्थ, पश्चिम रेलवे अजमेर के प्रमाण-पत्रों को ध्यान में रखते हुए तथा सेवा से निष्कासित करने के दंड को "एक्सेसिव" मानते हुए दंड की एप्रोप्रिएटनेस के संबंध में उचित आदेश पारित करे। प्रार्थी को यह अधिकार होगा कि यदि मुख्य कारखाना इंजीनियर चर्च गेट मुम्बई निर्धारित समयावधि में उसे उचित रिलीफ नहीं देते हैं तो वह इस न्यायाधिकरण के समक्ष धारा-11ए औद्योगिक विवाद अधि. के प्रावधानांतर्गत सीधे ही याचिका प्रस्तुत कर सकेगा जिस पर न्यायोचित आदेश निर्धारित प्रक्रिया उपरांत दिया जा सकेगा।

राजेंद्र सिंह राठौड़, न्यायाधीश

नई दिल्ली, 5 अगस्त, 2002

का. आ. 2787.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आयल एण्ड नैचुरल गैस लि. के प्रबंधन के संबंध में नियोजकों और उनके कामकारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, मुम्बई के पंचाट (संदर्भ संख्या 77/1997) को प्रकाशित करता है, जो केन्द्रीय सरकार को 1-8-2002 को प्राप्त हुआ था।

[सं. एल-30012/89/96-आई. आर. (सी-I)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 5th August, 2002

S.O. 2787.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 77/97) of the Central Government Industrial Tribunal-II, Mumbai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Oil and Natural Gas Ltd. and their workman, which was received by the Central Government on 1-8-2002.

[No. L-30012/89/96-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. II, MUMBAI

PRESENT :

S. N. Saundankar, Presiding Officer.

Reference No. CGIT-2/77 of 1997

Employers in relation to the Management of

1. M/s. Peerless Shipping and Oilfield Services Ltd. renamed as :-

M/s. South East Asia Marine Engineering and Construction Ltd.

Karmayog Udyog Bhavan, (1st and 2nd Floor)
Balgovind Das Road,
Dadar (West), Mumbai-400028.

2. M/s. Oil and Natural Gas Corporation Limited
M/s. O.N.G.C. Ltd.,
Vasundhara Bhavan,
Bandra (East),
Mumbai-400051.

3. M/s. Advance Ocean Systems (P) Ltd.,
M/s. Advance Ocean Systems (P) Ltd.,
703, Balarama, 7th Floor,
Bandra Kurla Complex,
Bandra (East),
Mumbai-400051.

4. M/s. Saibaba Offshore Services (P) Ltd.,
M/s. Saibaba Offshore Services (P) Ltd.,
341, Agra Road,
Kapurhawdi,
Thane-400067

AND

Their Workmen

Mr. B. C. D. Roy,

K. B. M. Plot No. 323,

P.O. Chakdah,

District Nadia,

Pin-741222, West Bengal.

APPEARANCES :

For the Employer No. 1 : Mr. Hiren Mehta, Adv.
holding for M/s. Singhania and Co.
Advocates.

No. 2 : Mr. G. D. Talreja, Advocate.

Nos. 3 and 4 : No Appearance.

For the Workmen : No Appearance.

Mumbai, dated 17th July, 2002

AWARD

The Government of India, Ministry of Labour, by its Order No. L-30012(89)/96-IR(Coal-I), dated 17th October, 1997, in exercise of the powers conferred by clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, have referred the following dispute to this Tribunal for adjudication :

"Whether the claim of Shri B. C. D. Roy, Life Support Technician that he was an employee of Peerless Shipping and Oilfield Services Ltd., and his services were illegally terminated by the management is legally justified? If so, to what relief is the workman entitled?"

2. Workman, Shri B. C. D. Roy, vide Statement of Claim (Exhibit-11) contended that he was in the employment of Peerless Shipping and Oilfield Services

Limited, Mumbai since 1-11-91 as Life Support Technician. It is his contention that he performed strenuous and hazardous duties on board DSV Samudra Prabha, however, on false and frivolous allegations he was terminated on 21-7-92. It is contended his services were illegally terminated and therefore his union had espoused the cause before the A.L.C. (C) but in vain. It is, therefore, the contention of workman that, since he was terminated illegally the management be directed to reinstate him with full back wages.

3. Management Peerless Shipping and Oilfield Services Limited, Mumbai resisted the claim of workman by filing Written Statement (Exhibit-14) contending that Shri B. C. D. Roy is not a workman within the definition of Section 2(s) of the Industrial Disputes Act. It is, further, their contention that no Master and Servant relationship exists between Roy and the management and for all these reasons, prayed for dismissal of the claim of the workman.

4. On perusal of the record it is seen, my Learned Predecessor on the application of management No. 1 (Ex.-15) dated 9-7-98, directed to implead the ONGC Ltd., Advance Ocean Systems (P) Ltd. and Saibaba Offshore Services (P) Ltd., as necessary parties i.e. management Nos. 2 to 4 consequently management No. 2, ONGC Ltd. filed Written Statement (Ex.-26) opposing the claim of workman contending inter alia, that Roy is not its employee and therefore the reference is not maintainable. It is, therefore, their contention that since they have not terminated the service of Roy, question of his reinstatement does not arise, consequently prayed to reject the claim of Roy. Added management Nos. 3 and 4 though served, not appeared, nor put Written Statement. Workman filed rejoinder to the written statements of management Nos. 1 and 2 vide (Exhibits-19 and 30).

5. My Learned Predecessor framed issues (Exhibit-32) on 25-1-99. Consequently matter was fixed for hearing. However, it is seen from the record, Roy on one or the other grounds sought time. He had sought time on the ground that he has to get the matter transferred to the Tribunal at Calcutta wherefrom he hails. However, nothing to show that the said request was allowed by the Competent Authority i.e. Ministry of Labour, Government of India. It is, further seen that Roy for getting the copies of the documents sought time and when eventually matter was fixed for filing affidavit in lieu of Examination-in-Chief by Roy on 18-12-2001 vide order (Exhibit-70). However he did not file affidavit and thereafter time was given till 11-2-2002 vide (Exhibit-73). It is seen from the record, on 11-2-2002 Roy engaged Adv. Smt. Aditi Sen Tripathi vide authority (Ex.-74) and on her request matter was adjourned to 5-3-2002. On that day advocate filed application for adjournment (Exhibit-75) and that lastly it was adjourned to 9-4-2002. It is further seen from the record, that day Roy and his advocate remained absent and as no affidavit was filed, matter was adjourned to 30-4-2002. However, that day also, no affidavit was filed and that matter was fixed on 4-6-2002, that day, vide application (Exhibit-76) counsel for the workman sought time saying workman was sick and therefore, as last chance matter was adjourned till today for filing affidavit in lieu of

Examination-in-Chief, however, Roy nor his advocate remained present. On perusal of the reference order dated 17-10-97 of which copy was sent to Roy to file his Statement of Claim it is seen, he filed his Statement of Claim (Exhibit-11) on 21-1-98 by consuming sufficient time. This shows, since beginning Roy was not interested in the matter and that he tried to prolong the matter and eventually remained absent nor led evidence. In view of the position, there is no alternate except to dispose of the matter for want of prosecution, and hence the order:—

ORDER

Reference stands disposed of for non-prosecution.

S. N. SAUNDANKAR, Presiding Officer

नई दिल्ली, 5 अगस्त, 2002

का. प्रा. 2788.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी. सी. सी. एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण II, धनबाद के पंचाट (संदर्भ संख्या 169/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-8-2002 को प्राप्त हुआ था।

[सं. एल.-20012/66/2001-आई. आर. (सी-I)]

एस एस गुप्ता, अवर सचिव

New Delhi, the 5th August, 2002

S.O. 2788.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 169/2001) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 1-8-2002.

[No. L-20012/66/2001-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NC(2) AT DHANBAD PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

Reference No. 169 of 2001

PARTIES :

Employers in relation to the management of M/s. BCCL and their workman.

APPEARANCES :

On behalf of the workman : Shri S. C. Gaur, Advocate.

On behalf of the employers : Shri N. K. Jha, Dy. F.M.

State : Jharkhand

Industry : Coal.

DHANBAD

Dated, Dhanbad, the 22nd July, 2002

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/66/2001-C-I, dated, the 22nd May, 2001.

SCHEDULE

"Whether the demand of the union for promotion of Sri Dina Nath Prajapati in Grade 'D' as Fitter (Excavation) w.e.f. 16-6-1994 and in Grade 'C' w.e.f. 27-4-1999 is proper and justified? If so, to what relief is the concerned workman entitled?"

In course of hearing of the instant reference Mr. S. C. Gaur, learned Advocate on behalf of the workman by filing a petition submitted for passing a 'No dispute' Award in this reference as the concerned workman involved in the dispute is not interested to proceed. Mr. N. R. Jha, Dy. P.M. appearing for the management raised no objection if the reference is disposed of on the basis of 'No dispute' Award. Perused the petition and heard both sides. Since the concerned workman involved in the dispute is not interested in connection with the hearing of the instant reference, there is no reason to keep the same alive. Under such circumstances, a 'No dispute' Award is rendered and the reference is disposed of on the basis of the 'No dispute' Award presuming non-existence of any industrial dispute between the parties presently.

B. BISWAS, Presiding Officer

नई दिल्ली, 5 अगस्त, 2002

का.प्रा. 2789.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण II धनबाद के पंचाट (संदर्भ संख्या 111/93) को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-3-2002 को प्राप्त हुआ था।

[सं. एल.-2001 2/231/92-आई आर (सी-I)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 5th August, 2002

S.O. 2789.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 111/92) of the Central Government Industrial Tribunal II Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in

relation to the management of BCCL and their workman, which was received by the Central Government on 1-8-2002.

[No. L-20012/231/92-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT:

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 111 of 1993

PARTIES:

Employers in relation to the management of Ena Colliery of M/s. BCCL and their workman.

APPEARANCES:

On behalf of the workman : Shri S. C. Gaur, Advocate.

On behalf of the employers : Shri R. C. Jha, Advocate.

STATE : Jharkhand. INDUSTRY : Coal.

Dated, Dhanbad, the 11th July, 2002

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012(231)/92-I.R. (Coal-I), dated the 27/28-7-93.

SCHEDULE

"Whether the action of the management of Ena Colliery of Kustore Area of M/s. BCCL P.O. Kustore, Dist. Dhanbad in denying the payment of wages to Shri Mitun Bauri, Ex-Fan Operator for the forced idle period from 1-7-90 to 11-6-91 is justified? If not, to what relief the workman is entitled?"

2. The case of the concerned workman according to the W.S. submitted by the union in brief is as follows :—

The union on behalf of the concerned workman submitted that the concerned workman was a permanent employee of Ena Colliery as Fan Operator. They submitted that the date of birth of the concerned workman was recorded in different register indifferently and that is why he approached the union to take up the matter with the management for rectification of his age through medical board. Accordingly the union took up the matter with the management for rectification of his age but the management without paying any heed to the request superannuated him with effect from 1-7-90, prematurely. The union submitted that thereafter they further took up the matter with the management and on the basis of their representation

the management sent the concerned workman to the medical board for assessment of his age on 11-6-91. It has been further submitted that on that date i.e. on 11-6-91 the medical board assessed the age of the concerned workman as 60 years. They alleged that in spite of such report of the medical board the management neither passed any order for reinstatement of the concerned workman nor allowed him to pay wages for the said period i.e. from July, 1990 to June, 1991. Accordingly they raised an industrial dispute before the ALC(C), Dhanbad on behalf of the concerned workman for conciliation which ultimately resulted reference to this Tribunal.

3. It has been specifically alleged that due to the adamant attitude of the management the concerned workman not only was deprived of performing his job during the period which he was actually entitled to do but also was deprived of getting the wages for the said period. Accordingly the union has prayed before this Tribunal for reinstatement of the concerned workman with back wages and other emoluments as admissible to him from the date of his superannuation wrongly done by the management.

4. The management on the contrary after filing W.S. cum-rejoinder have denied all the claims and allegation which the union on behalf of the concerned workman asserted in the W.S. It has been submitted by the management that the date of birth of the concerned workman was properly recorded in the statutory register maintained by them and on the basis of the said date of birth he was superannuated from his service with effect from 1-7-90 rightly. The management further submitted that during the service period the concerned workman never raised any dispute relating to wrong recording of his date of birth in the statutory register. They alleged that after superannuation the union and some political leaders created pressure on the management to arrange for his medical examination and for which they practically were forced to send the concerned workman to the medical board for assessment of his age. The management admitting the report submitted by the medical board submitted that the concerned workman is not entitled to get any back wages for the period from 1-7-90 to 6-9-91 as during this period the concerned workman remained idle and did not render any service to the management. Accordingly the management submitted that the "principles of no work and no pay" applicable in each and every case where the workman was not engaged in any work for the benefit of the establishment. Accordingly the management submitted their prayer to pass an Award rejecting the claim of the concerned workman.

5. The points to be decided in this reference are:—

"Whether the action of the management of Ena Colliery of Kustore Area of M/s. BCCL P.O. Kustore, District Dhanbad in denying the payment of wages to Shri Mitun Bauri, Ex-Fan Operator for the forced idle period from 1-7-90 to 11-6-91 is justified? If not, to what relief the workman is entitled?"

DECISION WITH REASONS

6. The concerned workman in order to substantiate his claim examined himself as witness. The management also examined one witness in order to rebut the

claim of the concerned workman. Considering the pleadings of both sides and also considering the evidence of the workman and the management I find no dispute to hold that the concerned workman was an employee under the management. His designation was Fan Operator. It is also admitted fact that the concerned workman was superannuated from his service with effect from 1-7-90. The contention of the management is that, as the concerned workman attained the age of 60 years on 1-7-90 he was superannuated from his service and in support of this claim the management relied on the Form B Register and service excerpt marked as Ext. M-2 and M-1. Relying on Form B Register and service excerpt the management submitted that the concerned workman did not raise any age dispute any day during his service period. This dispute only was raised by the concerned union when the concerned workman was superannuated from his service. They submitted that as there was serious pressure on the part of the union and some political parties the management was compelled to send him to the Medical Board for assessment of his age. The management admitted that according to Medical report the concerned workman was 60 years old as on 11-6-91. By this admission the management practically admitted that the concerned workman was superannuated from his service prematurely. In spite of admitting this fact the management further submitted that as the concerned workman remained idle during this period he is not entitled to get any wages. From the service excerpt marked as Ext. M-1 it transpires that the date of birth of the concerned workman was recorded as 1930 in one place and 1928 in another place and 10-4-32 in another place while in the copy of the Form B Register I do not find any such date of birth recorded therein. As such on the face of the record it transpires clearly that there was serious discrepancy in recording age/date of birth of the concerned workman in this statutory register maintained by the management. The management submitted that the concerned workman did not raise any dispute relating to his wrong recording of his age in the statutory register during his service period. On the contrary I find contra picture from the evidence of the concerned workman. Considering the pleadings and evidence of both sides there is sufficient reason to believe that the management did not actually give any importance about the representation made by the concerned workman over rectification of his age. It is the allegation of the management that under pressure of the union and some political leaders they had to send the concerned workman to the medical board after the date of his retirement. The plea taken by the management appears to be very much whimsical. It is not at all believable that the management will bow down to the representation of the concerned workman if they were not in minus point. There was no reason on the part of the management to send the concerned workman before the medical board for assessment of his age if they were not in minus point. The medical report marked as Ext. W-1 will expose clearly that the concerned workman was 60 years old as on 11-6-91. The medical report is binding upon both sides because of the fact that both sides relied on the verdict of the medical board. Moreover, the management did not challenge the report of the medical board relating to the assessment of the age of the concerned workman. Therefore,

considering the report of the medical board it is clear that long before attaining the age of superannuation the management superannuated him from his service well ahead. The management has taken the plea that as the concerned workman was idle during this period i.e. from 1-7-90 to 11-6-91 he is not entitled to get any back wages and consequential reliefs. The question is whether the concerned workman remained idle out of his own wish or he was forced to remain idle for the whimsical act of the management. Considering all the facts and circumstances it is clear that due to whimsical decision taken by the management the concerned workman was forced to remain idle during this period for which he was not at all responsible. No evidence is forthcoming on the part of the management that the concerned workman had no capacity to work physically during this period. As such after careful consideration of all the facts and circumstances I find no hesitation to say that the decision to superannuate the concerned workman from his service by the management was illegal arbitrary and against the principles of natural justice. The management had the scope to send the concerned workman to the medical board for assessment of his age before the date when he was superannuated by them, but they did not do so. The fault definitely should be the fault of the management and they are to abide by its consequence. It is seen that for such early superannuation the concerned workman was deprived of performing his job and also equally was deprived of getting wages for the said period. The management accordingly taking the plea that the concerned workman was idle for the said period cannot exonerate their responsibilities to pay wages to him during this period. I hold that as the concerned workman for the whimsical decision of the management was forced to remain idle, he is entitled to get back wages for the period from 1-7-90 to 11-6-91. In the result, the following Award is rendered :—

“The action of the management of Ena Colliery of Kustore Area of M/s. BCCI., P.O. Kustore, District Dhanbad in denying the payment of wages to Shri Mitun Bauri, Ex-Fan Operator for the forced idle period from 1-7-90 to 11-6-91 is not justified. Consequently, the concerned workman is entitled to get the wages for the period from 1-7-90 to 11-6-91.”

The management is directed to implement the Award within three months from the date of publication of this Award in the Gazette of India in the light of the above observation.

B. BISWAS, Presiding Officer

नई दिल्ली, 5 अगस्त, 2002

का.आ. 2790—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण II धनबाद, के पंचाट (संदर्भ संख्या 115/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 1/8/2002 को प्राप्त हुआ था।

[सं. एन-20012/234/2000-आई आर (सी-1)]

एम. एस. गुप्ता, अवसर सचिव

New Delhi, the 5th August, 2002

S.O. 2790.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 115/2000) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 1-8-2002.

[No. L-20012/234/2000-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

Reference No. 115 of 2000

PARTIES :

Employers in relation to the management of M/s. Bharat Coking Coal Ltd. and their workman.

APPEARANCES :

On behalf of the workman : Shri S. C. Gaur, Advocate.

On behalf of the employers : Shri H. Nath, Advocate.

STATE : Jharkhand. INDUSTRY : Coal.
Dated, Dhanbad, the 22nd July, 2002

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/234/2000-IR(C-I), dated, the 29th September, 2000 :

SCHEDULE

"Whether the action of the management of M/s. BCCL, Moonidih Western Jharia Area in not promoting S/Shri Ram Chandra Ram, Bihari Singh, Rameshwar Mahto, Narayan Singh, Kanu Kujur and others, Drivers-cum-Mechanic Cat. VI to the post of Asstt. Supervisor (Transportation) Grade 'C' while promoting their juniors in the year 1996 is just and fair? If not, to what relief are the said workmen entitled and from what date?"

2. In course of hearing of the instant reference Mr. S. C. Gaur representing the workman by filing a petition submitted to pass a 'No Dispute' Award in this reference as the concerned workmen involved in the dispute are not interested to proceed with the hearing of the case. Shri H. Nath, Advocate for the

management raised no objection if the instant reference is disposed on the basis of 'No Dispute' Award. Perused the petition and also heard both sides. Since the concerned workmen involved in the dispute are not interested in connection with the hearing of the reference, there is no reason to keep the same alive. Under such circumstances, a 'No Dispute' Award is rendered and the reference is disposed of on the basis of 'No Dispute' Award presuming non-existence of any industrial dispute between the parties presently.

B. BISWAS, Presiding Officer

नई दिल्ली, 5 अगस्त, 2002

का.प्र. 2791—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण II, धनबाद के पंचाट (संवर्ध संख्या 10/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-8-2002 को प्राप्त हुआ था।

[सं. एल-20012/262/99-आई आर(सी-1)]

एस. एस. गुप्ता, अवसर सचिव

New Delhi, the 5th August, 2002

S.O. 2791.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 10/2000) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 1-8-2002.

[No. L-20012/262/99-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act., 1947.

Reference No. 10 of 2000

PARTIES :

Employers in relation to Barora Area of M/s. BCCL and their workman.

APPEARANCES :

On behalf of the workman : Shri D. Mukherjee,
Secretary,
Bihar Colliery Kamgar Union.

On behalf of the employers : None.

STATE : Jharkhand. INDUSTRY : Coal.

Dated, Dhanbad, the 22nd July, 2002

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/262/99-C-I dated, the 21st January, 2000.

SCHEDULE

"Whether the action of the management of BCCL, Barora Area in denying wages for the period from 14-6-97 to 22-8-97 to Smt. Dhonkalia Kamin on grounds of absence is justified? If not, to what relief is the workman entitled?"

2. In course of hearing of the instant reference Shri D. Mukherjee, Secretary of the sponsoring union submitted before me to pass a 'No dispute' Award in this reference as the concerned workman involved in the dispute is not interested to proceed with the hearing of the case. None appeared on behalf of the management. Since the workman involved in the dispute is not interested to proceed with the hearing of the instant reference, there is reason to believe that no dispute is existing between the concerned workman and the management. Under the circumstances, a 'No dispute' Award is rendered and the reference is disposed of on the basis of 'No dispute' Award presuming non-existence of any industrial dispute between the parties presently.

B. BISWAS, Presiding Officer

नई दिल्ली, 5 अगस्त, 2002

का.प्र.2792.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण II, धनबाद के पंचाट (संदर्भ संख्या 110/93) को प्रकाशित करती है, जो केन्द्रीय सरकार को 1/8/02 को प्राप्त हुआ था।

[सं. एल-20012/371/92-आई आर (सी-I)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 5th August, 2002

S.O. 2792.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 110/93) of the Central Government Industrial Tribunal II Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 1-8-2002.

[No. L-20012/371/92-IR(C-I)]
S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1) (d) of the I.D. Act, 12947.

REFERENCE NO. 110 OF 1993

PARTIES :

Employers in relation to the management of Moonidih Project of M/s. BCCL and their workman.

APPEARANCES :

On behalf of the workman : None.

On behalf of the employers : Shri D. K. Verma, Advocate.

STATE : Jharkhand

INDUSTRY : Coal.

Dated, the 10th July, 2002

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012(371)/92-I.R. (Coal-I), dated 16/5-7-1993.

SCHEDULE

"Whether the action of the management of Moonidih Project of M/s. BCCL, P.O. Moonidih, Dist. Dhanbad in dismissing Shri Panchu Sethi T. No. 1793 is justified? If not, to what relief the workman is entitled?"

2. In this reference both the parties appeared before this Tribunal and filed their respective W.S. documents etc. Subsequently at the stage of evidence the workman side abstained from appearing before this Tribunal and taking any steps. Even several notices and show cause notices were issued to the workman side but they neither appeared nor took any steps in the matter of hearing of the instance reference. Therefore, there is reason to believe that the workman side is not interested to proceed with the hearing of the reference case. The instant reference is pending since 1993 for disposal and when the workman side is not taking any steps in the matter of hearing of the instant dispute. Accordingly there is no reason to keep the same alive for years together. Under such circumstances, a 'No dispute' Award is rendered and the reference is disposed of on the basis of 'No dispute' Award presuming non-existence of any industrial dispute between the parties presently.

B. BISWAS, Presiding Officer

नई दिल्ली, 5 अगस्त, 2002

का.प्र.2793.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, धनबाद के पंचाट (संदर्भ संख्या 150/96) को प्रकाशित करती है, जो केन्द्रीय सरकार को 1/8/02 को प्राप्त हुआ था।

[सं. एल-20012/399/95 आई आर (सी-I)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 5th August, 2002

S.O. 2793.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 150/96) of the Central Government Industrial Tribunal-II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of E.C.L. and their workman, which was received by the Central Government on 1-8-2002.

[No. L-20012/399/95-IR(C-I)]
S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2 AT DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1) (d) of the I.D. Act, 1947

REFERENCE NO. 150 OF 1996

PARTIES :

Employers in relation to the management of Barakan Engineering and Foundry Works of M/s. E.C.L. and their workman.

APPEARANCES :

On behalf of the workman : None.

On behalf of the employers : None.

STATE : Jharkhand

INDUSTRY : Coal.

Dated, Dhanbad, the 22nd July, 2002

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/399/95-I.R. (Coal-I), dated the 18th December, 1996.

SCHEDULE

"Whether the demand by the Union for employment of dependant of Late Loknath Prasad who died on 28-3-1983 by the management of Barakan Engineering and Foundry Works under the N.C.W.A. provisions is legal and justified? If not, to what relief is the concerned dependant entitled?"

2. In this reference neither the concerned workman nor his representative appeared before this Tribunal. The management also did not appear in it. It is seen from the record that the instant reference was received by this Tribunal on 31-12-1996 and since then it is pending for disposal. Registered notices were also issued to the workman and the management but in spite of the issuance of notices they have failed to turn up. In terms of Rule 10B of the I.D. Central Rules, 1957 submission of W.S. by the concerned workman within 15 days is a mandatory one. The concerned workman not only violated the said provision of the rules but also did not consider necessary to give any response to the notices issued by this Tribunal. The attitude of the concerned workman if looked into, will expose clearly that he is not at all willing to proceed with the instant reference. Under the circumstances, a 'No dispute' Award is rendered and the reference is disposed of on the basis of the 'No dispute' Award presuming non-existence of any industrial dispute between the parties.

B. BISWAS, Presiding Officer

नई दिल्ली, 5 अगस्त, 2002

का.ग्रा. 2794.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-2, धनबाद के पंचाट (संदर्भ संख्या 122/96) को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-8-02 को प्राप्त हुआ था।

[सं. एल-20012/445/94-ग्रा ईगार(सी-I)]

एस.एस. गुप्ता, अव्वर सचिव

New Delhi, the 5th August, 2002

S.O. 2794.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 122/96) of the Central

Government Industrial Tribunal-II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 1-8-2002.

[No. L-20012/445/94-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1) (d) of the I.D. Act, 1947

REFERENCE NO. 122 OF 1996

PARTIES :

Employers in relation to the Management of Bhurangiya Project of Mahuda Area of M/s. BCCL and their workman.

APPEARANCES :

On behalf of the workman : None.

On behalf of the employers : None.

STATE : Jharkhand

INDUSTRY : Coal.

Dated, Dhanbad, the 10th July, 2002

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/445/94-IR (Coal-I), dated, the 3rd October, 1996.

SCHEDULE

"Whether the claim of the Union that the management of Bhurangiya Project of M/s. BCCL had engaged S/Shri Raj Nath and 33 others as Blacksmiths through contractors and they were employed continuously over a period since 1980 to be eligible for their regularisation is legal and justified? If so, to what relief are these persons entitled?"

2. In this reference only the workman side appeared and filed written statement. Thereafter they abstained from appearing before this Tribunal for taking steps further. Even on the date fixed by this Tribunal neither the concerned workmen nor their representative was found present on repeated calls. It reveals from the record that the instant reference is pending since 1996 and several registered notices were sent to them but in spite of the issuance of notices they failed to turn up before this Tribunal. Under such circumstances, there is no other alternative but to pass a 'No dispute' Award in this Reference. Accordingly a 'No dispute' Award is rendered and the reference is disposed of on the basis of 'No dispute' Award presuming non-existence of any industrial dispute between the parties presently.

B. BISWAS, Presiding Officer

नई दिल्ली, 5 अगस्त, 2002

का.ग्रा. 2795.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक

विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण II, धनबाद के पंचाट (संदर्भ संख्या 16/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-8-02 को प्राप्त हुआ था।

[सं. एल-20012/455/95-आई.आर. (सी-1)]

एस.एस. गुप्ता, अव्वर सचिव

New Delhi, the 5th August, 2002

S.O. 2795.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 16/1997) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of CCL and their workman, which was received by the Central Government on 1-8-2002.

[No. L-20012/455/95-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1) (d) of the I.D. Act, 1947

REFERENCE NO. 16 OF 1997

PARTIES :

Employers in relation to the management of Saunda Coal Mines of M/s. CCL and their workman.

APPEARANCES :

On behalf of the workman : None.

On behalf of the employers : None.

STATE : Jharkhand

INDUSTRY : Coal.

Dated, Dhanbad, the 22nd July, 2002

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/455/95-IR(Coal-I), dated the 14th January, 1997.

SCHEDULE

"Whether the action of the management of M/s. CCL Sounda Colliery in taking the job of Clerk Grade-III since 5-9-1991 from Sri P.K. Ghosh and deny to give him the proper designation and scale is proper and justified? If not, to what relief is the concerned workman entitled?"

2. In this reference neither the concerned workman nor his representative appeared before this Tribunal. Even on the date fixed they were not found present. It reveals from the record that the instant reference is pending since 28-1-1997, for disposal. Registered notices were also issued to the workman side and the management but in spite of the issuance of notices they neither appeared before this Tribunal nor took any steps. According to Rule 10B of the I.D. Central Rules, 1957 submission of W.S. by the concerned workman within 15 days is a mandatory one. The concerned workman not only violated the said provision of Rules but also did not consider necessary to give any response to the notices issued by this Tribunal. Therefore, there is reason to believe that the concerned workman is not at all interested to proceed with the hearing of the instant reference. Under

such circumstances, a 'No-dispute' Award is rendered and the reference is disposed of on the basis of the 'No-dispute' Award presuming non-existence of any industrial dispute between the parties presently.

■. BISWAS, Presiding Officer

नई दिल्ली, 6 अगस्त, 2002

का.आ. 2796.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबंध में निमित्तों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-1, धनबाद के पंचाट (संदर्भ संख्या 14/96) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-8-02 को प्राप्त हुआ था।

[सं. एल-20012/406/93-आई.आर. (सी-I)]

एस.एस. गुप्ता, अव्वर सचिव

New Delhi, the 6th August, 2002

S.O. 2796.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 14/96) of the Central Government Industrial Tribunal-I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 6-8-2002.

[No. L-20012/406/93-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under Sec. 10(1)(d)(2A) of the Industrial Disputes Act, 1947

Reference No. 14 of 1996

PARTIES :

Employers in relation to the management of Mohuda Area of M/s. B.C.C. Ltd.

AND

Their Workmen

PRESENT :

Shri S.H. Kazmi, Presiding Officer

APPEARANCES :

For the Employers : Shri H. Nath, Advocate.

For the Workman : None.

STATE : Jharkhand.

INDUSTRY : Coal.

Dated, the 19th July, 2002

AWARD

By Order No. L-20012/406/93-I.R. (Coal-I) dated 9-2-1996 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the demand of the Union is justified, that the date of birth recorded in the management records of Shri Puran Singh is not correct and therefore, it is a fit case for re-assessment of the age by Medical Board? If so, to what relief is the concerned workman entitled to?"

2. It appears from the record that this case is pending since 16-2-2001 for evidence to be led by the workman and adjournment after adjournment was granted since then in absence of the workman concerned or workman's representative to enable them to come forward with their evidence. On the last date it appears that after noticing the past developments again adjournment was granted with clear observation that if no evidence would be adduced on the next date also then further appropriate and necessary order would be passed. It is thus apparent that the concerned workman or the sponsoring union have lost interest in this case and do not want to pursue the same.

Anyway, whatever may be the reason in view of the developments and circumstances as noticed above, it is needless to keep this case pending for any further.

3. Therefore, I render a 'No Dispute' award in the present reference case.

S. H. KAZMI, Presiding Officer

नई दिल्ली, 6 अगस्त, 2002

का.प्रा. 2797.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टिस्को के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-1, धनबाद के पंचाट (संदर्भ संख्या 29/90) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-8-02 को प्राप्त हुआ था।

[सं. ए.नं-20012/342/89-आईआर(सी-1)]

एस.एस. गुप्ता, प्रवर सचिव

New Delhi, the 6th August, 2002

S.O. 2797.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 29/90) of the Central Government Industrial Tribunal-I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of TISCO and their workman, which was received by the Central Government on 6-8-2002.

[No. L-20012/342/89-IR(C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Section 10(1)(d)(2A) of the Industrial Disputes Act, 1947.

Reference No. 29 of 1990

PARTIES :

Employers in relation to the management of M/s. Tata Iron & Steel Co. Ltd.

AND

Their Workmen.

PRESENT :

Shri S. H. Kazmi,
Presiding Officer.

APPEARANCES :

For the Employers : Shri D. K. Verma, Advocate.

For the Workman : Shri D. Mukherjee, Secretary,
Bihar Colliery Kamgar Union.

STATE : Jharkhand

INDUSTRY : Coal

Dated, the 22nd July, 2002

AWARD

By Order No. L-20012/342/89-IR.(Coal-I) dated the 12th February, 1990 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of M/s. Tata Iron & Steel Co. Ltd., P.O. Jamadoba, Dist. Dhanbad in dismissing Shri Anukul Kumar Bose, Greaser from service w.e.f. 28-7-88 is justified? If not, to what relief the workman is entitled?"

2. Precisely, the case of the sponsoring union is that the concerned workman, Anukul Kumar Bose, was originally appointed as permanent Category-I Mazdoor on 8-8-1973 and later on he was promoted as Greaser Helper in Category-II and in that capacity he had been continuously working till the day when he was dismissed i.e. 1-8-1984. It has been said that the concerned workman from the date of appointment till the date of his dismissal had been working on the surface of the mine. Further it has been said that the management was very much biased and prejudiced against the concerned workman as he happened to be the Mukhiya of Gram Panchayat and he refused to oblige the management so far his duty as Mukhiya was concerned. After being annoyed, it is said, the management illegally and arbitrarily dismissed him by conducting invalid and irregular enquiry. The said action of the management was challenged and the dispute was referred to Central Government Industrial Tribunal No. 2, Dhanbad, for adjudication which was numbered as reference No. 105 of 1985. In the said reference, it has been said, ultimately the Tribunal directed the management to re-instate the concerned workman but without any back wages. Further it has been said that the management did not swallow the direction of the said Tribunal and with ulterior motive to remove the concerned workman and to by-pass the direction made in the said award issued a notice under Section 9A of the Industrial Disputes Act, 1947 on 23/28-1-88 wherein and whereby the management directed the concerned workman to undergo underground Vocational Training Programme for his further posting in the underground mine. It is said that the management was pre-determined to dismiss the concerned workman from service, so a false and frivolous chargesheet was issued against him. The concerned workman replied to the said chargesheet denying the charges but even then the management dismissed him w.e.f. 27-7-88 after conducting invalid and irregular ex-parte enquiry. The concerned workman, it is said, vehemently protested against his illegal and arbitrary dismissal but the management did not pay any heed and so ultimately the sponsoring union raised the industrial dispute before the A.L.C.(C), Dhanbad, where the conciliation proceeding failed and ultimately the dispute was referred to this Tribunal for adjudication. It has also been said that the action of the management in dismissing the concerned workman from service was illegal, arbitrary, unjustified and against the principle of natural justice, and further the said action was vindictive in nature and was against the provision of Standing Orders. Lastly it has been said that the dismissal of the concerned workman was too harsh and disproportionate to the alleged offence. Reinstatement with full back wages, as such, has been claimed.

3. The management, on the other hand, has come out with the case, as disclosed in its written statement, that the concerned workman was employed with effect from 8-8-73 as Category-I Mazdoor in Digwadih colliery. He was promoted to the post of Greaser Helper in Category-II w.e.f. 21-1-1975. He was then placed in Sand Mechanisation Plant within the jurisdiction of Digwadih Colliery. The said plant was transferred to Jamadoba colliery as one of its section in the year 1978 for administrative reason and the concerned workman came under the jurisdiction of Jamadoba colliery. Further it has been said that in the year 1984 the concerned workman was transferred from Sand Mechanisation Plant Section of Jamadoba Colliery vide letter dated 8/9-2-84 for giving him better avenue for promotion. Consequent upon his transfer to Engineering Section of Jamadoba Colliery, it is said, he was advised to undergo Vocational training by

letter dated 16-3-84 as required under the Mines Vocational Training Rules, 1966. But he neither reported for duty in the Sand Mechanisation Plant nor for Vocational training and started absents without permission and satisfactory cause from 16-3-84 onwards. Since he absented for more than ten days, he was issued a chargesheet dated 8/12-4-84 for his unauthorised absence under clause 19(16) of the certified standing orders of the Company. The concerned workman thereafter submitted his reply but his explanation was not found satisfactory. A domestic enquiry was thereafter conducted in which despite several steps taken the concerned workman neither appeared nor sent any information and as such, the enquiry was conducted ex-parte upon the completion of which the concerned workman was dismissed w.e.f. 1-8-84. Subsequent to that a union other than the sponsoring union raised a dispute before the A.L.C.(C) challenging the said dismissal of the concerned workman and upon the failure of conciliation preceding the dispute was referred to the Central Government Industrial Tribunal No. 2, Dhanbad, which by its award dated 15-5-1987 found the concerned workman guilty of the misconduct but finding the punishment of dismissal too severe the reinstatement of the concerned workman was ordered without back wages. It has been said that on receipt of the award the management immediately took step to implement it and accordingly on 24-7-87 the letter was issued to the concerned workman to report for duty immediately. He, however, did not join his duty and thereafter again few letters were sent to him with the same type of direction. Subsequent to that the concerned workman sent few letters either for requesting for time to join duty on medical ground or giving a particular date for joining of his duty.

Ultimately, it is said, that on 9-10-1987 when the concerned workman approached the Personnel Officer of Jamadoba colliery he was directed to report to the Agent (T & S) for his Vocational Training vide letter dated 9-10-87. He reported for vocational training and took the vocational training during 9-10-87 to 17-11-87 (13 days) on surface. But when after completion of surface training he was advised to undergo training in underground for remaining 12 days he discontinued his training and started absents. The concerned workman was thereafter instructed by the Manager of the said colliery to complete his vocational training but instead of completing the remaining part of the vocational training the concerned workman submitted an application dated 30-11-87 contending that he should be given the job on the surface. He was informed that his demand cannot be conceded as the said demand for placing him on the surface was contrary to the award passed earlier. Even then the concerned workman did not report for his vocational training underground despite the opportunity granted repeatedly. It is said that though the Tribunal had clearly held that it was within the authority of the management to transfer a workman from surface to underground, still as a measure of abundant precaution the management issued a notice under Section 9A of the I.D. Act to the concerned workman advising him to report for his duty underground as a Greaser helper from 22-2-1988. It is said that even after expiry of almost nine months the concerned workman never reported for duty and he did not complete the vocational training which was prerequisite for his employment as a Greaser Helper in mines. Finally taking into account the attitude of the concerned workman a chargesheet was served upon him and when he deliberately avoided to receive the chargesheet domestic enquiry commenced and again the notice of enquiry was sent but as despite that he failed to appear the enquiry was conducted ex-parte and having found the charge levelled against the concerned workman substantiated, the report to that effect was submitted and on the basis of the said report the concerned workman was dismissed by the concerned authority. It has been said that the concerned workman after becoming the Mukhiya of the Village Panchayat lost interest in his service career and he felt it was beyond his dignity to work as a helper and to carry tools and other materials and also to work under filters and operators. Initially, it is said, the concerned workman was the member of Janta Mazdoor Sangh but as the said union could not get an award in his favour for reinstatement with full back wages he joined another union, Bihar Colliery Kamgar Union, which raised the present dispute on his behalf.

In its rejoinder also the management has denied or controverted several averments or allegations made in the written statement filed by the sponsoring union and ultimately it was stated that the concerned workman is not entitled for any relief whatsoever.

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In the rejoinder to the written statement of the management several averments made therein have been controverted and further plea was raised that the concerned workman should not have been transferred from surface to underground mine and such action of the management was illegal and arbitrary.

4. Before proceeding further it is significant to be mentioned at the outset that upon the fairness of domestic enquiry the finding has already been arrived at by this Tribunal earlier and the same has already been found unfair and improper. Having arrived to such finding the opportunity was given to the management to adduce evidence on merit. During the proceeding four witnesses were examined from the side of the management and one witness on behalf of the workman who is none other than the workman himself. Few documents in course of the evidence have also been proved and exhibited on behalf of the management which are marked Exts. M-1 to M-20/1. However, no any document was filed or exhibited on behalf of the concerned workman.

As such, in view of the aforesaid developments taken place during the proceeding now it has got to be considered taking into account the materials collected in course of the proceeding, as to how far the order of dismissal passed against the concerned workman can be taken to be proper, legal and justified.

5. It stands admitted that at the time of his dismissal the workman was holding the post of Greaser Helper after having been transferred from Sand Mechanisation Plant Section of Jamadoba colliery to the Engineering Section of Jamadoba colliery. It is also admitted that earlier also on the ground of absenteeism the concerned workman was chargesheeted and then upon enquiry being held, was dismissed but later by an award passed by the Central Government Industrial Tribunal No. 2, Dhanbad, he was ordered to be reinstated but without back wages. It further stands un-denied that in the said award charge of misconduct was found to be established but finding the punishment of dismissal as severe or harsh, the reinstatement was ordered without back wages.

Now, the management says that at that time also the concerned workman remained absent as he was not inclined to work underground or to undergo vocational training as required under the Mines Vocational Training Rules, 1966 and had taken the plea that he cannot be transferred from surface to the underground. Further, as per the management it was held by the Tribunal earlier that it is prerogative of the management to transfer a workman from one place to another or from one section to another section or from surface to underground. However, it took a compassionate view and granted relief of reinstatement without back wages. But according to the management, he again failed to report for duty and to undergo vocational training and he started absents without permission and satisfactory cause from 16-3-1984 and by way of sending some letters to the management he again stuck to his earlier stand that he cannot be compelled to work underground and cannot be forced to undergo vocational training and subsequently when he reported for training he made himself available for the training on the surface only and when he was asked to undergo underground mine training also which was a part of the said vocational training programme, he started absents without permission or information and never reported for training or duty and so ultimately when the chargesheet was issued he neither gave the reply nor appeared during the enquiry and finally upon the completion of the enquiry ex-parte as against him he was dismissed. As per the management, as such, the concerned workman has again taken up the same plea in order to justify his action which were earlier noticed and rejected by the Tribunal and so this itself is sufficient to show the ruthless conduct on his part and adamant attitude and posture adopted by him.

In the written statement of the sponsoring union though it is nowhere mentioned as to why the concerned workman did not report for duty or for undergoing part vocational training underground or under what circumstances he left to attend the part training programme or what was the firm stand taken by him but when the management in its written statement gave out the details about past happening and subsequent development a rejoinder to the said written statement was filed on behalf of the concerned workman wherein several stands or pleas were taken. It was mentioned therein that the management illegally and arbitrarily changed the service conditions of the concerned workman by transferring him to the Engineering Section of Jamadoba colliery. Further

at page 4 of the rejoinder the statement was made that the management has got no right to transfer the Greaser operator to the underground mine in violation of the mandatory provision of law. Further it was mentioned that in view of this fact the concerned workman was perfectly and legally justified to refuse to undertake vocational training of underground work. From these statements made it is thus evident that apart from taking firm stand the reason or explanation was also given as to why refusal was made to undergo vocational training. At page 5 of the rejoinder it stands mentioned that giving perfunctory alleged notice under Section 9A of the I.D. Act, does not give the management the right to remove a workman from surface to underground.

6. As the award passed earlier, quite obviously, bears significance so far as subsequent developments are concerned which culminated into the dismissal of the concerned workman, it would be just and apt to go through the said award (Ext. M-14) firstly before proceeding further to make discussions.

Besides the other grounds taken in the said case the main ground which appears to have been taken on behalf of the concerned workman was that he was transferred from Sand Mechanisation Plant to Jamadoba colliery in the underground mine as Greaser Helper as a measure of victimisation as the transfer from surface to underground was in breach of conditions of service as laid down in the Certified Standing Orders of the Company. The concerned workman during his evidence in the said case stated that he was released from Sand Mechanisation Plant and transferred to Jamadoba to work in the underground mine and that when he went to Jamadoba he was not allowed to join his duty and was told that he will be allowed to join his duty when he passes the vocational training although he had passed the vocational training when he was working in Sand Mechanisation Plant. He further stated that if he had been allowed to join, he would have joined on the surface and would not have joined in the underground mine. Upon making consideration on the basis of all the materials placed before it the Tribunal came to the finding that the management was within their authority to transfer the workman from one department to another under the same management and the management further can transfer a workman from the surface of Sand Mechanisation Plant to the underground mine of Jamadoba colliery and the management's order to transfer was within the frame-work of Standing Orders. It further held that the transfer of the concerned workman from Sand Mechanisation Plant in the surface to the underground mine of Jamadoba colliery did not prejudice the concerned workman in the condition of his service and wages.

Despite the aforesaid finding arrived at earlier, it is clear from the above that the concerned workman is still pursuing and agitating his earlier stands that he cannot be transferred from surface to the underground, there is no work of Greaser Helper in underground mine and there is no question of undergoing vocational training in the underground mine. However, in course of his deposition before the Court the concerned workman (WW-1) has said that after reinstatement he was sent to vocational training from 9-10-87 to 17-11-87 and after this training he was not served with any letter by the management or the Vocational Training Centre that he was required to undergo on training into underground mine. He has further said that he was not served with release order from the Vocational Training Centre and when he approached the management for giving him duty the management did not allow the same on the ground that there was no release order from V.T.C. As it is apparent the aforesaid statements made by the concerned workman are the statements beyond the pleadings as neither in the written statement nor in the rejoinder such stand has been taken. Never before it was submitted on his behalf that upon getting the training on surface he was never asked to go on training in the underground mine and when he approached the management for reporting for duty the same was disallowed as there was no release order from Vocational Centre.

Prior to the evidence of the concerned workman the management examined MW-3—A. K. Mukherjee who admittedly had been working as Instructor in V.T.C. Jamadoba during the relevant period. He appears to have stated in his evidence that the concerned workman reported for vocational training on 9-10-87 and he received the training upto 17-11-87. According to him, the concerned workman received training

for 13 days only and as per the training programme he was to receive vocational training for 13 days as class room training and next 12 days as practical training in underground mine. He has also said that when the 13 days class room training was completed, he asked the concerned workman on 18-11-87 for accompanying him for underground training to which he refused and thereafter the concerned workman did not report for underground training and he accordingly reported the matter to the management. He has proved certain documents which are marked Ext. M-17, M-17/1, M-18, and M-19. Ext. M-17 is a letter dated 9-10-87 to the Agent (T & S), Jamadoba sent by the Manager, Jamadoba colliery, a copy of which was forwarded to the concerned workman also to report to the Agent (T & S), Jamadoba for undergoing vocational training for the post of Greaser Helper on 9-10-87. Ext. M-17/1 is attendance register during the period of training. Ext. M-18 is the endorsement made in the said register by another instructor to the effect that the concerned workman had not completed his training. Exts. M-19 to M-19/3 are correspondences regarding non-compliance of said training by the concerned workman. Ext. M-19 is under the signature of the Agent (T & S) therein it is mentioned that the concerned workman completed class training for 13 days only from 9-10-87 to 13-11-87, he was on without pay leave from 19-10-87 to 31-10-87 and that he had not completed 12 days job training in underground and absents from 18-11-87. Ext. M-19/1 is a letter addressed to the concerned workman sent by the Manager, Jamadoba colliery wherein it was mentioned that the concerned workman had to undergo full training and till such time he completes the full course of training he cannot be allowed to resume duty. By the said letter he was given the opportunity to report for training in underground within a week. Ext. M-19/2 is also a letter sent by the Manager to the concerned workman again asking him to report for training in underground as he had only completed part training on the surface. Ext. M-19/3 is also with respect to the correspondence made to the said effect. From these documents filed it is manifest that when the concerned workman made himself absent and did not report for undergoing part training in underground. He was given opportunity after opportunity to report for the same which as per the management was essential prior to the resumption of duty as Greaser Operator. In the aforesaid context two other documents are also relevant to be noticed and those are two letters of the concerned workman submitted before the management, they were marked Exts. M-20 and M-20/1 in course of evidence of MW-4. Ext. M-20 is a letter dated 11-1-88 sent by the concerned workman to the Manager (Opn.) Jamadoba colliery. He appears to have stated therein that the Tribunal has travelled beyond the terms of reference by holding that the management can transfer from surface to underground. He thereafter stated about himself that he all along worked on surface and never worked underground and therefore the action of the management in forcing him to get vocational training for underground service is in breach of condition of service and that the management lawfully cannot impose condition for receiving training for underground work. Ext. M-20/1 is the letter dated 30-11-87 again addressed to the Manager (Opn.), Jamadoba colliery sent by the concerned workman wherein also the concerned workman stated that he should be given the work on the surface in accordance with the terms and conditions of his service. He has further mentioned therein that he has completed vocational training for surface and thus he should be given work for Greaser Helper in Sand Mechanisation Plant on the surface. These two documents were exhibited with objection because of belated filing of the same. Suggestion as regards those documents was given to the said witness that those are manufactured documents which the said witness denied. However, no any suggestion was made as regards disowning the signature of the concerned workman over those original documents or denial as regards those signatures being made. Merely due to a bit late production of those documents the same cannot be brushed aside specially when there does not appear to be anything doubtful about it. From these two letters of the concerned workman further it becomes clear that he left the vocational training and did not complete the same as he was adamant not to go underground and to work on surface only, despite the fact that in course of his cross-examination he has accepted that TISCO has got only underground mine and has got no open cast mine. He has also accepted that he was ordered to go underground mine which he did not do. He has thereafter proceeded to say that he has decided to do the duty on the surface only and he will not do the duty in the underground mine though subsequently he appears to have

said that he will do the duty in the underground mine also. By making such statement that he will not do the duty underground mine he has corroborated his statement made in his aforesaid two letters (Exts. M-20 and M-20/1) and despite all such developments the argument has been made on behalf of the concerned workman that after the completion of the training the Vocational Institution neither directed him to undergo any further training nor issued a release order so that he can join his duty and further it has been stated as the release order was not issued so the management of Jamadoba colliery did not allow him to resume duty though he reported for the same several time. In support of such statement being made few statements made by MW-3 in course of his cross-examination have been referred or cited. Upon question being asked MW-3 appears to have said that unless a trainee is released from vocational training he is not allowed to join his duty in the mine. At another place he appears to have said that it is a fact that the concerned workman used to report for duty but he was not allowed to do his duty on the ground that he had not completed his training. It is difficult to conceive how these statements of MW-3 can be taken to be something out of which bonafide or genuineness of the stand taken by the concerned workman can be gathered. This witness has already earlier stated that the concerned workman had not completed the training and left the training half-way and thereafter has made it clear that unless a trainee is released from vocational training he is not allowed to join his duty in the mine. In the case of the concerned workman there was no question of releasing him as he had not completed the vocational training and since for the resumption of duty the completion of the said training was made essential. The question of reporting for duty was academic as at all if the concerned workman had changed his mind he should have reported for completion of training in underground mine, although it is not the case of the management nor it has admitted the fact that the concerned workman ever reported for duty. From the documents mentioned above it becomes more than obvious that the concerned workman was well aware of the fact that he had to complete the vocational training and for 12 days further training he had to go in underground mine but even then by taking a firm stand despite the opportunity being given to him by the management he went on representing before the management not to force him to work in underground mine or to undergo vocational training underground. Further though it was earlier settled by way of passing of the award but he went on re-agitating the ground that the management has got no power or authority to transfer him from surface to underground or to compel him to undergo vocational training. From Exts. M-16 and M-16/1 further it becomes clear that though the earlier award to the said effect was very much there but by way of abandon pre-caution the management issued a notice under Section 9A of the Industrial Disputes Act informing about the change in the service condition. The fact as regards issuance of such notice stands undenied. In the chargesheet (Ext. M-1) clearly it was mentioned that in terms of the earlier award the concerned workman was advised to report to the Manager (O), Jamadoba colliery for making necessary arrangement for imparting necessary vocational training as per rules and subsequently he was served with a notice under Section 9A of the Industrial Disputes Act also, but he disobeyed the order and absented from duty without justification. It has been urged from the side of the concerned workman that the chargesheet was with respect to his absence from duty only and from the evidence of MW-3 it becomes clear that he reported for duty but he was not allowed to join and so the entire charge made against the concerned workman fails. This can only be taken to be an argument made out of desperation. One or two sentences mentioned in the said chargesheet are not required to be read in isolation, rather the entire contents of the said chargesheet should be gone into. As mentioned above, it is clearly mentioned in the chargesheet that the concerned workman was to report to undergo necessary training as per rules and he disobeyed the order and absented. Therefore, it would be absurd to suggest that the charge levelled against the concerned workman has got nothing to do so far his completion of vocational training is concerned. Firstly the concerned workman was required to report for vocational training and thereafter upon the completion of the said training he was to resume his duty as Greaser Helper. As he left the vocational training in the mid-way he cannot reasonably claim that he should have been allowed to resume his duty and question of his release from the said training could have arisen only when he would have completed the said training. Apart from making state-

ment during his evidence in the workman's rejoinder also a firm stand was taken that the action of the management in transferring him from surface to underground was wrong and the concerned workman was justified in refusing to work underground or to undergo vocational training in the underground mine. In view of such circumstances it is too much for the workman to come out with the submission at much later stage that he was not asked to undergo the training in underground mine and was not issued any release order and that he was not allowed to join. In the face of overwhelming circumstance against him, it can only be construed as a desperate attempt made by the concerned workman to establish his innocence by unsuccessfully shrugging off the serious charge levelled against him.

Therefore, in view of the materials on record I have no hesitation in observing that the charge of misconduct against the concerned workman stands sufficiently established and it is apparent that due to his unbending and adamant attitude he deliberately exposed himself to the serious consequence and himself invited the trouble. Consequently the finding arrived at by the concerned authority as regards holding the concerned workman guilty of misconduct does not require any interference.

7. It is mentioned in the pleading and in the written argument filed also the submission has been made that the punishment of dismissal as awarded against the concerned workman is too severe and harsh and quite disproportionate to the gravity of the charge levelled. Upon this, from the side of the management it has been urged that considering the past conduct of the concerned workman and the arrogant attitude which he has displayed so far in not obeying the order of the management, he does not deserve any leniency in the matter of awarding punishment and he certainly deserved the punishment awarded to him by the concerned authority. It cannot be ignored that earlier also despite finding him guilty of misconduct the concerned workman was let off by awarding minor punishment with the hope and expectation that he would mend his ways but he thereafter displayed the same type of earlier conduct and absented himself by re-agitating all those grounds which had been taken earlier also. Therefore, if such conduct is to be borne in mind then it would be difficult to take a lenient view in the matter. However, as it can be seen above, during his evidence the concerned workman though initially stated that he will not do the duty in the underground mine but immediately thereafter he stated that he will do the duty into underground mine also. This apart, during the argument also impression has been created from the side of the concerned workman that he is ready to abide by the order of the management and he is prepared to work underground and to undergo the required underground training. As such, in view of these developments one more opportunity can be given to him by modifying order of punishment upon finding the same as too severe in the circumstances of the case, to the extent of denial of back wages to the concerned workman upon his reinstatement.

8. In view of all the aforesaid considerations and discussions based on the materials on record it is finally concluded that the order passed by the competent authority to the extent of finding the concerned workman guilty of misconduct does not require any interference. But, however, finding the punishment of dismissal disproportionate and harsh, taking into account the circumstances of the case, the concerned workman is allowed to be reinstated but without back wages.

9. Accordingly, in the light of the findings arrived at as above, the management is directed to reinstate the concerned workman within 30 days from the date of publication of the award. However, the concerned workman will not be entitled to the back wages from the date of his dismissal to the date of joining.

The award is thus passed as above.

However, in the circumstances of the case, there would be no order as to cost.

S. H. KAZMI, Presiding Officer

नई दिल्ली, 8 अगस्त, 2002

का.आ. 2798.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डायरेक्टर जनरल, डायरेक्टोरेट ऑफ एडवर्टाइजमेंट के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नई दिल्ली के पंचाट (संदर्भ संख्या 110/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-8-2002 को प्राप्त हुआ था।

[सं. एल-42012/154/2000-आई आर (डीयू)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 8th August, 2002

S.O. 2798.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 110/2000) of the Central Government Industrial Tribunal/Labour Court, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Director General, Directorate of Advertisement and their workman, which was received by the Central Government on 8-8-2002.

[No. L-42012/154/2000-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL : NEW DELHI

Presiding Officer : Shri B.N. Pandey.

I.D. No. 110/2000

Shri Navin Kumar,
R/o 43-B,
Pandav Nagar,
New Delhi

Workman

Versus

The Director General,
Directorate of Advertisement
Visual Publicity (D.A.V.P.)
P.T.I. Building, 3rd Floor,
Parliament Street,
New Delhi-110001.

Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-42012/154/2000/IR(DU) dated 28-9-2000 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the action of the management of the Director General, Directorate of Advertisement, New Delhi in stopping from duty to Mr. Navin Kumar S/o Sh. Ramesh Kumar, L.D.C. w.e.f. 30-4-1998 instead of regularising his services and not paying him the wages as per their regular employee is justified, valid and reasonable? If not, to what relief the workman is entitled?”

2. This reference was received on 16-10-2001 and notice to parties for filing of claim was given for 18-1-2001. Since 18-1-2001 till today 11 adjournments have been given in this case but nobody on behalf of the workman appeared whereas representative of the management appeared. Even today Shri M.K. Gaur on behalf of Shri R.P. Aggarwal for management appeared and none for workman appeared. Claim statement not filed despite several opportunities. It appears that the workman is not interested in prosecuting

the case. Hence No Dispute Award is passed in this case. Parties to bear their own costs.

Dated : 5-8-2002.

B. N. PANDEY, Presiding Officer

नई दिल्ली, 8 अगस्त, 2002

का. आ. 2799.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. रिचर्डसन एंड क्रुड्डास (1972) लिमिटेड के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2, मुम्बई के पंचाट (संदर्भ संख्या सी जी आई टी 2/66 आफ 99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-8-2002 को प्राप्त हुआ था।

[सं. एल.-42012/228/98-आई आर (डीयू)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 8th August, 2002

S.O. 2799.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT-2/66 of 1999) of the Central Government Industrial Tribunal/Labour Court No. 2, Mumbai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Richardson & Cruddas (1972) Ltd. and their workman, which was received by the Central Government on 8-8-2002.

[No. L-42012/228/98-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO II, MUMBAI

PRESENT :

S. N. Saundankar, Presiding Officer.

REFERENCE NO. CGIT-2/66 of 1999

EMPLOYERS IN RELATION TO THE MANAGEMENT

OF THE GENERAL MANAGER (P & A),

M/s. RICHARDSON & CRUDDAS

The General Manager (P&A),
M/s. Richardson & Cruddas (1972) Ltd.,
Mulund Works, L.B.S. Marg,
Mulund (West)
Mumbai-400080.

AND

Their Workmen

The President,
Association of Engineering Workers,
252, Janta Colony,
Ramnarayan Narker Marg,
Ghatkopar (East),
Mumbai-400077.

APPEARANCES :

For the Employer : Mr. S. Z. Chowdhary, Advocate.

For the Workmen : Mr. Abhay Kulkarni, Advocate.

Mumbai, dated 26th July, 2002

AWARD-PART-I

The Government of India, Ministry of Labour, by its Order No. L-42012/228/98-IR(DU), Dtd. 16-3-1999, in exercise of the powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication.

"Whether the action of the management of M/s. Richardson & Cruddas (1972) Ltd., Mulund Works, Mumbai illegally placing under suspension Shri L.N. Bhowad, is legal and justified? If not, to what relief the workman is entitled?"

2. Workman Bhowad was working in Management-company. The union vide Statement of Claim (Exhibit-6) contended that workman who is active member of the union, management with vindictive attitude placed him under suspension from work for four days without wages from 25-11-1997 to 28-11-1997 as a punishment for the alleged misconduct. It is contended management issued him chargesheet dated 30-5-1997 charging him that he gheraoed the officer Mr. Bhagat and that was amounting to misconduct which action does not fall as misconduct under the rules applicable to the workman, and therefore the chargesheet is defective. It is further averred that workman was not paid subsistence allowance in accordance with the standing orders and contended that under the rules applicable to the workman exceeding four days the workman demands to have been suspended only for four days or for such shorter period as specified in the order of suspension and for the remaining period he shall be entitled to the same wages as he would have received had he not been placed under suspension. Consequently domestic inquiry held against the workman was not proper. It is contended that inquiry was held at the whims of Mr. Gunjal and that the findings and the report not based on the material and the evidence before the Inquiry Officer therefore is biased. Consequently union contended that inquiry vitiates and therefore the same be set aside.

3. Management Company resisted the claim of the union by filing Written Statement (Exhibit-8) contending that reference is not maintainable under Section 22 of the Sick Industrial Undertaking Act in-as-much as company has been declared as sick unit by B.I.F.R. and revival package has been approved by B.I.F.R. and now the company is in nursing period and that no permission has been sought by the workman from B.I.F.R. to institute proceedings. It is the contention of company that on 18-3-1997 at about 11.25 A.M. workman alongwith other 20-25 workers, gheraoed officers Mr. Bhagat, Mr. Tamta and Mr. Dani who were sitting in their cabin in the premises of the establishment. For putting up their demands which was misbehaviour within the premises of the establishment, misconduct under the provisions of the Model Standing Orders and to enquire this misconduct inquiry was held. Consequently chargesheet dated 30-5-1997 was issued to workman. It is contended Inquiry Officer giving full opportunity filed his report dated 13-10-1997 holding workman guilty for the misbehaviour and on the basis of the report the Disciplinary Authority taking lenient view instead of dismissing workman by way of punishment, suspended him from work for four days without wages from 25-11-1997 to 28-11-1997, by the order dated 24-11-1997. It is contended inquiry was conducted as per the Principles of Natural Justice and the findings are not perverse, consequently claim of union be rejected.

4. My Learned Predecessor framed issues at Exhibit-9 and in the context of preliminary issues workman Bhowad filed affidavit in lieu of Examination-in-Chief (Exhibit-11) and union closed evidence vide purshis (Exhibit-12). Mr. Khilari filed affidavit in lieu of Examination-in-Chief on behalf of the management and closed evidence vide purshis (Exhibit-25).

5. Union filed written submissions (Exhibit-26) and the management at (Exhibit-27). On hearing the Learned Counsel for both the sides and perusing the record and the written submissions, I record my findings on the following preliminary issues for the reasons stated below:—

Issues

Findings

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| 1. Whether the proceedings are barred by the provisions of Section 22 of the Sick Industrial Undertakings Act as the company has been declared as a Sick Unit? | No. |
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|--|-----|
| 2. Whether the workman is required to take permission from B.I.F.R. to raise the dispute? | No. |
| 3. Whether the domestic inquiry which was conducted against the workman was against the Principles of Natural Justice? | No. |
| 4. Whether the findings of the inquiry officer are perverse? | No. |

REASONS

6. At the threshold the Learned Counsel for the management submits that the reference is not maintainable under the provisions of Section 22 of the Sick Industrial Undertakings Act in-as-much as the company has been declared as sick unit by BIFR and revival package has been approved by the BIFR and now the company is in nursing period. He submits with force that the company has been receiving financial assistance/budgetary support from the Government of India both for meeting the capital expenditure on the schemes sanctioned by the Government and also for meeting the working Capital requirements, including reimbursement towards cash/losses suffered by the company and that budgetary support to the company by the Government both planned support and non-planned support was reduced in the year 1991-92 with the result the company came to be declared as sick and was registered as sick company, by the Board for Industrial and Financial Reconstruction (B.I.F.R.) under the provisions of the Sick Industrial Companies (Specail Provision) Act. He therefore submits without the permission from B.I.F.R. a dispute cannot be entertained. On the other hand, the Learned Counsel for the union submitted that nothing on record to show that the company is declared as sick industry nor anything to show that any permission is required. Management though averred much on this in Written Statement, para 3(b) has not taken efforts to point out the rules nor led evidence to show that the company is declared as sick unit. Management is totally silent by way of Written Submissions (Exhibit-27). In the absence of any evidence as above hardly can be said that the company is sick unit and that permission is required from B.I.F.R. to raise the dispute. Consequently Issue No. 1 & 2 are answered in the negative.

7. So far the other preliminary issues 6 and 7 in respect of domestic inquiry and the findings are concerned, according to workman Bhowad chargesheet dated 30-5-1997 is false and defective and therefore the inquiry vitiates. By way of Interim Award we have to consider "Whether the inquiry is fair and proper not, whether the action is justified" Their Lordships of Apex Court in Sur Enamel and Stamping Works Vs. Their Workmen 1963 II LLJ SCC pg. 367 ruled that enquiry cannot be said to have been properly held unless :

- (1) the employee proceeded against has been informed clearly of the charges levelled against him.
- (2) the witnesses are examined-ordinarily in the presence of the employee in respect of the charges.
- (3) the employee is given a fair opportunity to cross examine witnesses.
- (4) he is given a fair opportunity to examine witnesses including himself in his defence if he so wishes on any relevant matter, and
- (5) the inquiry officer records his findings with reasons for the same in his report.

Management filed inquiry proceedings with list (Exhibit-10) Chargesheet dated 30-5-1997, pg. 52 (Exhibit-10) clearly speaks on the incident dated 18-3-1997. Workman admits in cross-examination para 13 that he was represented by Mr. Verma who has experience of domestic inquiry and that he remained present in the inquiry throughout and that he got the inquiry proceedings correctly recorded. Had workman not understood the charge levelled against him, he himself or his Defence Representative would have asked to that effect from the Inquiry Officer, however, that is wanting. So far the other ground for which according to union inquiry vitiates is that, workman was not paid subsistence allowance in accordance with the standing orders applicable to him is concerned in cross-examination para, 14 workman is not in a position to tell which are the rules which were violated

during the course of the inquiry. It is to be noted that on the inquiry, the Inquiry Officer found that workman misbehaved, which is a misconduct and based on that the Disciplinary Authority vide letter dated 24-11-1997 imposed punishment on the workman of his suspension from work for four days without wages from 25-11-1997 to 28-11-1997. This is not suspension during the course of inquiry according to management. This suspension from work is by way of punishment for the misconduct committed by the workman.

8. If perused the inquiry proceedings it is seen it was commenced from 4-6-1997 and concluded on 7-8-1997. It is not that inquiry was held hurriedly on one day. One witness Mr. Dani was examined by the management who was cross-examined by the defence which shows, in respect of the charges, witnesses were examined in the presence of workman and his Defence Representative was given full opportunity. It is simply stated by workman that the Principles of Natural Justice were not followed. Rules of Natural Justice are not embodied rules. The question in a given case where the principles of natural justice have been violated or not is to be found out on consideration as to whether the procedure adopted by the appropriate authority is in accordance with the law or not, and further whether the delinquent knew what charges he was going to face. In short, what is required to be seen whether the workman knew the nature of accusation, whether he has been given an opportunity to state his case, whether the authority has acted in good faith. In the case in hand, nothing to show that Principles of Natural Justice are violated, the conditions laid down in the aforesaid ruling have been completed with, therefore hardly can be said that the inquiry vitiates.

9. So far the findings of the Inquiry Officer are perverse is concerned, except a bald statement to that effect nothing on record. Perversity is that when the findings are such which no reasonable person would have arrived at on the basis of the material before him. On perusal of the inquiry proceedings it is seen management witness, Mr. Dani disclosed on gherao by workman with other workers that too on duty, in the premises of the establishment. It is further seen that a mob gathered there made demands by shouting. The defence of the workman is that they were called by Mr. Bhagat in his chamber and knowing that the other workers out of curiosity gathered there, thereby there was no misbehaviour on their part. The admitted position of assembling in the office, in the chamber by the mob of workers by shouting demands coupled with the circumstances on record hardly can be said that the findings are not based on the material and evidence on record. It is therefore apparent that there was no breach of Principles of Natural Justice and that inquiry is fair and proper and the findings recorded are not perverse. Issue Nos. 6 and 7 are therefore answered according and hence the order :

ORDER

The domestic inquiry conducted against the workman was as per the Principles of Natural Justice. The findings of the Inquiry Officer are not perverse.

S. N. SAUNDANKAR, Presiding Officer

नई दिल्ली, 7 अगस्त, 2002

का.आ. 2800.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एयरपोर्ट आथोरिटी आफ इंडिया के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, भुवनेश्वर के पंचाट (संदर्भ संख्या 232/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 07-08-02 को प्राप्त हुआ था।

[सं. एन-11011/4/98-आईआर(विविध)]

बी.एम. डेविड, अवसर सचिव

New Delhi, the 7th August, 2002

S.O. 2800.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 232/2001) of the Central Government Industrial Tribunal, Bhubaneswar now as shown in the Annexure in the industrial dispute between the employers in relation to the management of Airport Authority of India and their workman, which was received by the Central Government on 7-8-2002.

[No. L-11011/4/98-IR(M)]

B. M. DAVID, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BHUBANESWAR

PRESENT :

Shri S. K. Dhal, OSJS, (Sr. Branch),
Presiding Officer, C.G.I.T.-cum-Labour
Court, Bhubaneswar.

Tr. Industrial Dispute Case No. 232/2001

Date of conclusion of hearing—8th July, 2002

Date of Passing Award—26 July, 2002

BETWEEN

The Management of the Controller of
Aerodrome, Airport Authority of India,
Bhubaneswar Airport,

Bhubaneswar. ... 1st Party-Management.

AND

Their Workmen, represented through the
General Secretary, Bhubaneswar Airport
Workers Union, Plot No. 251,
Kharvela Nagar, Unit-III,
Bhubaneswar.

... 2nd Party-Union

APPEARANCES:

None

.. For the 1st Party-
Management.

Shri Satyananda Behera,

Vice President.

.. For the 2nd Party-
Union.

AWARD

The Government of India in the Ministry of Labour in exercise of Powers conferred by Clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication vide their Order No. L-11011/4/98/IR (M), dated 5-2-1999:

“Whether the action of Airport Authority of India in engaging workers on contract basis through contractors continuously on year to year basis for execution of maintenance work as

pointed out by the Union in their letter dated 2-2-1998 (copy enclosed) is justified? If not, to what relief the concerned workmen are entitled to?"

2. The case of the 2nd Party-Union may be stated in brief.

The Union in their letter, dated 2-2-1998 addressed to the 1st Party-Management and to the Contractors have demanded for classification of nature of work, identification of high skilled, skilled, semi-skilled and unskilled work, reinstatement of 12 civil Contractors workers from 24-5-1996, parity in wages and other benefits with regular workers engaged in similar nature of jobs, amendment of minimum wages to Rs. 2,000 from 1-1-1997 V.D.A. at the rate of Rs. 2 per point on rise of All India Consumer Price index, 25 per cent House Rent, 13 days National and Festival Holidays, earn leave, supply of safety materials and Medical facilities. As those demands were not fulfilled they requested the Regional Labour Commissioner (Central). It is further stated that, the 1st Party-Management are in habit of engaging contractor workers through various contractors at various intervals continuously in Electrical Maintenance in operational area, Diesel Generator section, Pump operating for water supply section, repairing of pipe line, carpentry work, painting work and sweeping section from 1990. Though the workers worked under the contractors faithfully and sincerely their services have not been regularized. These facts were also brought to the notice of the Regional Labour Commissioner (Central). The grievance of workers was admitted in the reconciliation proceeding by the Asst. Labour Commissioner (Central). As there was failure of reconciliation the Government of India (Ministry of Labour) have made a reference. In the Claim Statement no specific prayer has been made by the 2nd Party-Union.

3. The 1st Party-Management i.e. the Controller of Aerodrome, Airport Authority of India, Biju Patnaik Airport, Bhubaneswar, has filed the Written Statement on 3-9-1998. Their case is that, they did not award Labour contracts but award different works to various contractors. As the works can only be executed by employment of labourers, contractors engage labourers to perform the specific task. Every year tenders are freshly called and awarded to the suitable contractor for carrying out various works. The chosen contractor employs labourers according to his discretion for fulfilling the requirements of Airports Authority of India. If the same labourers were being employed continuously by who ever contractor was getting the work executed, it is solely the decision of the contractor. They have pleaded that the stand taken by the 2nd Party that the 1st Party-Management engages workers on contract basis through contractor continuously on year to year basis for execution of maintenance work is misleading and vague. They have further pleaded that the regular employees are selected through the process of selection at all India or Regional basis and only highly meritorious candidates are being selected and subjected to rules and regulations of Airport Authority of India. The daily wage workers having work under one contractor or others have come to regard themselves equal to regular employment and making the demands, according to them, if at all the

Airport Authority of India decides to have their own regular staff the vacancies shall be filled by due process of selection. They repeatedly stated that, the Airports Authority of India engages contractor through annual maintenance contract for a period of one year for carrying out civil and electrical maintenance work. After expiry of one year, fresh tenders are called for engagement of new contractor after following tender norms. Most of the works were previously being carried out by C.P.W.D. for Civil Aviation Department. Since the Airport activities have been transferred to N.A.A. from C.A.D., C.P.W.D., ceases to function at Airports. The works, which were earlier to be carried out by C.P.W.D. are now being carried out by the Airport Authority of India. Their specific pleading is that the members of the 2nd Party are the contractor labourers engaged by the respective contractor for a specific of time. Contract is awarded to a contractor and they are engaged by the Contractor but not by the Airport Authority of India at any point of time. The contractor is supposed to take care of payment of wages etc. as per the provisions of Contract Labour Act. There was no complaint from the petitioners in this regard. So, according to the 1st Party-Management the allegations and claims made by the 2nd Party is baseless.

4. On the above pleading of the parties, the following Issues have been settled.

1. Whether the action of Airport Authority of India in engaging workers on contract basis through contractors continuously on year to year basis for execution of maintenance work as pointed out by the Union in their letter dated 2-2-1998 (copy enclosed) is justified?

2. If not, to what relief the concerned workmen are entitled to ?

5. Before going to the merit of the case, it may be stated here that, after settlement of issues, the 1st Party-Management have remained absent and did not take part in the proceeding. The 2nd Party members has filed the affidavit of one Manas Matha, Beldar, Gangadhar Patra, Electrician, Pitabas Swain, Pump Operator and Ishwar Pradhan, Electrician in support of their oral evidence and some documents have also been filed.

FINDINGS

ISSUE NO. 1

6. During course of argument the attention of the Tribunal has been invited by the representative of the 2nd Party that they had made several demands in their letter, dated 2-2-1998 and this Tribunal should pass award accordingly. The letter, dated 2-2-1998 has been made as Annexure-A. This letter has been addressed to one Shri Jayant Chakrabarty, Contractor, M/s. S.K. Electrical, M/s. Dipak Engineering Works, the Proprietor, Youngman Traders and to the 1st Party-Management. The letter reveals that, they has the following grievances.

- (A) The Management should classify the nature of work of each contractor workers those are working under the contractor.
- (B) The Management should identify the work of each contractor workers i.e. high skilled, skilled, semi skilled and unskilled.

- (C) The Management should reinstate 12 civil contractor workers with their back wages from 24-5-1996.

Under the heading wages, it has been demanded that:

- (A) The Management should pay the contractor workers equal wage with other benefits that of regular workers with minimum wages should be fixed at Rs. 2000 only per month and arrears should be paid from 1-1-1997.
- (B) The Management should pay Rs. 2 only per point rise of C.P.I base.
- (C) That, the Management should pay @25% on the pay of the workers.
- (D) The management should provide 13 days National and Festival Holidays in a calendar year.
- (E) That, the Management should provide earn leave to all contractor workers.
- (F) The Management should provide safety materials to all contractor workers.
- (G) The Management should provide Medical facilities to all contractor workers.

While making reference the Government of India has only referred to this Tribunal that whether the action of the Airport Authority of India in engaging the workers on contract basis through contractors continuously on year to year basis for execution of maintenance work as pointed out by the Union in their letter, dated 2-2-1998 is justified. The representative of the 1st Party-Management has submitted that, this would mean that, all their grievances are taken care of under the above reference. I am not inclined to accept the submission made on behalf of the 2nd Party. If that was the intention of the Government then the reference was not made specific. It could have been said that whether the demand of the 2nd Party Union made in their letter dated 2-2-1998 are justified or not? It is well settled that, the Tribunal cannot go beyond the terms of the reference. So this Tribunal is restricted only to answer whether the action of the Airport Authority of India engaging the workers on contract basis through contractors continuously on year to year basis for execution of maintenance work as pointed out by the Union in their letter, dated 2-2-1998 is justified or not?

7. The engagement of the members of the 2nd Party through contractor has not been disputed by the 1st Party-Management. The persons who have filed affidavit have taken the same stand that was taken in their Claim Statement. Their case is that the works attended by them should not as contract labourers. So, according to them when there is prohibition to engage contract labourers to work in the Airport, in the maintenance section, the 1st Party-Management should not engage the workers on contract basis through contractors. Copy of the letter of Ministry of Labour has been filed to convince this Tribunal that the Central Government has prohibited the employment of contract labourers in the jobs of operation or process specified in the schedule of the establishment of

Indian Air lines and Airport Authority of India with effect from the date of publication of the notification. The 1st Party-Management comes under the Airport Authority of India in Para-3. The following works has been prohibited to be attended by the contract labourers, i.e. day to day maintenance and operation of air conditions plants, generator sets and electrical installations except where there are being undertaken by the manufacturer/original supplier as per the supply arrangements to cargo handling i.e. loading and unloading of cargo, day to day maintenance and operation of all fire fighting equipment including fire extinguishers and appliances, leaving management free to resort to contractual arrangements only for annual periodical maintenance of these equipment and Aero bridge workers, lift operators, sharp shooters, conveyor system, electrical maintenance of high mast towers car park flood lights and street lights, maintenance (and not repair) of air curtains and sliding doors, Apron cleaning, and split flap display system operation. The witnesses who have filed affidavit have taken similar stand in their affidavit. Their affidavit does not disclose what type of works they are attending. In the circumstances above, it is very difficult on the part of the Tribunal to say that, the Airport Authority of India should not engage workers on contract basis through contractors. But when the Government of India has prohibited some works not be carried out through contract labourers under their notification dated 16-11-1999 narrated above; the Airport Authority of India should not engage workers on contract basis through contractors continuously on year to year basis for execution of those works which have been prohibited by the Govt. of India (Ministry of Labour) in their notification dated 16-11-1999. Hence, this Issue is answered accordingly.

ISSUE NO. II

8. While narrating the case of the 2nd Party that, it appears that no specific relief has been sought for in their Claim Statement. So in view of my findings given in respect of Issue No. I the concerned members of the 2nd Party-Union are not entitled for any specific relief.

9. Reference is answered accordingly.
Dictated & Corrected by me.

S. K. DHAL, Presiding Officer

नई दिल्ली, 7 अगस्त, 2002

का.आ. 2801.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एयरपोर्ट आथोरिटी आफ इंडिया के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चेन्नई के पंचाट (संदर्भ संख्या 745/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 05-08-2002 को प्राप्त हुआ था।

[सं. एल-11012/41/2001—आईआर (विविध)]

बी. एम. डेविड, अवसर सचिव

New Delhi, the 7th August, 2002

S.O. 2801.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 745/2001) of the Central Government Industrial Tribunal, Chennai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Airport Authority of India and their workman, which was received by the Central Government on 5-8-2002.

[No. L-11012/41/2001-IR(M)]

B. M. DAVID, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Friday, the 26th July, 2002

PRESENT :

K Karthikeyan, Presiding Officer.
Industrial Dispute No. 745/2001

[In the matter of the dispute for adjudication under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Workman Sri R. Senthil Kumar and the Management of Airport Authority of India, (IAD)].

BETWEEN

Sri R. Senthil Kumar, . . . I Party/Workman.

AND

Airport Authority of India,
(IAD), Chennai. . . II Party/Management.

APPEARANCES :

For the Workman : Unrepresented.

For the Management : Sri A. J. Jawad, R. J. Kannan and V. Lokesh Kumar, Advocates.

The Government of India, Ministry of Labour in exercise of Powers conferred by clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947), have referred the concerned industrial dispute for adjudication vide Order No. L-11012/41/2001-IR(M) dated 27th November, 2001.

On receipt of the order of reference from the Government of India, Ministry of Labour, this case has been taken on file as I.D. No. 745/2002 and notices were sent to the parties to the dispute, with a direction to appear before this Tribunal on 28-12-2001 to file their respective Claim Statement and Counter Statement and to prosecute this case further. The date on which the hearing was fixed, as no one appeared before this Tribunal fresh notice had been ordered to both the parties for 15-2-2002. In spite of both the notices sent by registered post were duly served on 2578 GI/2002—27

the I Party/Workman, he has not appeared before this Tribunal and no Claim Statement for the I Party/Workman was filed. The counsel who entered appearance for the II Party/Management had filed his statement of objection to the dispute raised by the I Party/Workman with the copy of the claim petition filed by the Petitioner while raising this dispute earlier before the conciliating authority.

When the matter came up before me for final hearing on 13-6-2002, upon perusing the order of reference, statement of objection filed by the II Party/Management along with xerox copy of the 2A petition filed by the I Party/Workman before the conciliating authority, the other material papers on record, on hearing the arguments advanced by the learned counsel for the II Party/Management alone and this matter having stood over till this date for consideration, this Tribunal has passed, on merits, the following :—

AWARD

The Industrial Dispute referred to in the above mentioned order of reference by the Central Government for adjudication by this Tribunal is as follows :—

“Whether the alleged termination and non-employment of Sri R. Senthil Kumar by the Airport Authority of India (IAD) is legal and justified? If not, to what, relief is the workman entitled?”

2. The I Party/Workman Sri R. Senthil Kumar had earlier raised an industrial dispute under Section 2A of Industrial Disputes Act, 1947 before the Regional Labour Commissioner (Central), Chennai against the II Party/Management Airport Authority of India, Chennai (hereinafter refers to as Respondent) for conciliation about his claim for reinstatement in service with back wages. As the conciliation effort taken by the concerned authority ended in a failure, he submitted a failure of conciliation report to the Government, which in turn have referred this matter as an industrial dispute to this Tribunal for adjudication under the above mentioned order of reference. Though, the notices sent by registered post by this Tribunal to the Petitioner Sri R. Senthil Kumar received by him and the postal acknowledgements for the same have been received back by this Tribunal, he has not chosen to appear before this Tribunal on the appointed dates of hearing. The counsel for the II Party/Management appeared and filed his vakalat, with his statement of objection along with the copy of the 2A claim petition, filed by the I Party/Workman earlier before the conciliating authority. Since, there was no representation on the side of the I Party/Workman and this industrial dispute has not been prosecuted by the I Party/Workman before this Tribunal, the argument advanced by the learned counsel for the II Party/Management was heard to decide the dispute on merits, with the available records.

3. The I Party/Workman Sri R. Senthil Kumar, the Petitioner herein, has stated in his earlier claim before the conciliating authority that he entered service into the II Party/Management Airport Authority of India, Chennai (hereinafter refers to as Respondent) as a sweeper on 1-3-95. Then after over four years of continuous service, he was orally refused employment by

the Respondent on 31st December, 1999. At that time, his last drawn pay was Rs. 1500 p.m. He had further contended that his juniors like Devi, Kandam, Lalitha, Lazer, Raja, Gajendran and Elavarasan who were similarly employed by the Respondent are still in service. It is his further contention that he was employed only in the Respondent premises throughout his service and at times of accident if any, the Doctor who is permanently employed by the Respondent used to treat the worker. It is further contended in the claim petition that the Supreme Court has held that the services of the sweepers have to be regularised. Therefore, the termination of the Petitioner from service on 31-12-99 after he has been engaged for four years amounts to unfair labour practice. Employing the juniors of the Petitioner in service by the Respondent would amount to discrimination and illegal and mala-fide in the eye of law. Hence, it is prayed that the Respondent/Management may be directed to reinstate the Petitioner in service with all benefits.

4. The Respondent/Management in the statement of objection to this dispute raised by the I Party/Workman has stated as follows :—

The Petitioner was not engaged as a workman by the Respondent either casual, temporary or on ad-hoc basis as sweeper. Further when he was not employed, there is no question of orally refusing him any employment. Since he is not a workman within the meaning of Industrial Disputes Act, the provisions of Industrial Disputes Act, 1947 would not apply, as there was no appointment of the Petitioner with the Respondent and there is no relationship of employer and employee between them and therefore, the dispute is to be dismissed in limine. Under such circumstances, the Industrial Disputes Act would not apply for adjudicating the dispute referred by the Government on the so called termination of service. When the Petitioner was not employed by the Respondent, the alleged termination or non-employment of the Petitioner by the Respondent does not arise. Therefore, the question of unfair labour practice or violation of Sections 25N or 25G of the Industrial Disputes Act, 1947 would not arise and there is no requirement to pay retrenchment compensation. The Supreme Court of India on 30th August, 2001, in the case of Steel Authority of India Ltd. Vs. National Union Waterfront Workers has quashed the notification issued by the Central Government on 9-12-1976 and over-ruled the judgement of Apex Court in the Air India Case prospectively. Also, the Supreme Court in this case held that consequently, the Principal employer cannot be required to order absorption of the contract labour working in the concerned establishment. Therefore, the automatic absorption of contract labourers in their establishment by the principal employer is not required. Therefore, in these circumstances, it is prayed that this Hon'ble Tribunal may be pleased to dismiss the case as devoid of merits and unsustainable either in law or on facts.

5. When the matter was taken up for final enquiry, the learned counsel for the II Party/Management alone present and there was no representation for the I Party/Workman. In the absence of filing any Claim Statement of I Party/Workman in respect of this industrial dispute referred to by the Government for adjudication as one that has been raised by the I Party/Workman, the learned counsel for the

II Party/Management has advanced his argument on the basis of the claim that has been raised by the I Party/Workman earlier before the conciliating authority and the statement of objection he has filed before this Tribunal for that claim of the Petitioner. Then the matter has been reserved for orders to be delivered on merits, on consideration of the materials available in this case.

6. The Point for my consideration is—

“Whether the alleged termination and non employment of Sri R. Senthil Kumar by the Airport Authority of India (IAD) is legal and justified? If not, to what relief is the workman entitled?”

Point :—

Though the dispute has been raised by the I Party/Workman, in spite of the fact notices were served on him by registered post and the postal acknowledgements have been received by this Tribunal back, he has not chosen to appear before this Tribunal to file his Claim Statement in respect of the industrial dispute he has raised against the II Party/Management and to prosecute this case. So, on the basis of the materials available in this case as the copy of the claim that has been raised by this Petitioner/Workman before the conciliating authority earlier and the statement of objection filed by the II Party/Management, here before this Tribunal for that claim of the Petitioner and on the basis of the arguments advanced by the learned counsel for the II Party/Management, it was decided to adjudicate the matter on merits.

7. It is seen from the Claim Statement filed by the I Party/Workman earlier before the conciliating authority in respect of this industrial dispute that he alleged to have entered into service under the Respondent as a Sweeper on 1-3-95 and had worked as a sweeper under the Respondent/Management in their premises till 31-12-1999, then he was orally refused employment by the Respondent/Management. This specific allegation of the Petitioner about his employment under Respondent/Management has not been established by letting any oral or documentary evidence before this Tribunal, when especially the Respondent/Management has denied that allegation stating that the Petitioner was never employed by the Respondent/Management at any point of time and there was no employer and employee relationship between themselves. Like that for the other allegation that his juniors were employed as sweepers by the Respondent have been regularised and he only has been denied employment which amounts to unfair labour practice and discrimination, no evidence is available. He has also relied upon a decision of the Supreme Court in regularising the casual workers employed as sweepers by the Respondent Airport Authority of India. For accepting that contention that direction of the Supreme Court is applicable to the Petitioner also no material has been placed before this Tribunal. On the other hand, as it is stated in the statement of objection by the II Party/Management, the Supreme Court of India on 30-8-2001 in the Steel Authority of India Ltd. Vs. National Union Waterfront Workers has quashed the notification issued by the Central Government on 9-12-76 and over-ruled the judgement of the Apex Court in the Air India case prospectively. As such the

Supreme Court has held that the Principal employer cannot be required to order absorption of the contract labour working in the concerned establishment. Therefore, as it is contended by the Respondent/Management in the statement of objection, the automatic absorption of contract labourers in their establishment by the Respondent/Management as a principal employer is not required. Further, in the absence of any concrete, legal acceptable evidence to show that the Petitioner was employed at any time under the Respondent as sweeper even as the contractual casual labour, as it is contended by the learned counsel for the Respondent/Management, there cannot be any employer and employee relationship between the parties. Under such circumstances, there is no question of application of the provisions of Industrial Disputes Act, 1947 for the Petitioner to demand any relief under the said Act. So the question of reinstatement in service or any retrenchment compensation as a claim made by the Petitioner/Workman does not arise. Under such circumstances, it can be held that the claim of the workman Sri R. Senthil Kumar for reinstatement with back wages cannot be considered as legal and justified. Hence, he is not entitled for any relief. Thus, the point is answered accordingly.

8. In the result, an Award is passed holding that the I Party/Workman Sri R. Senthil Kumar is not entitled for any relief. No cost.

(Dictated to the Stenographer, transcribed and typed by him, corrected and pronounced by me in the open court on this day the 26th July, 2002.)

K. KARTHIKEYAN, Presiding Officer

Witnesses Examined :—

On either side : None.

Documents Marked :—

On either side : Nil.

नई दिल्ली, 7 अगस्त, 2002

का.अ. 2802.—औद्योगिक विवाद अधिनियम, (1947 1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एयरपोर्ट ऑथोरिटी ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चेन्नई के पंचाट (संदर्भ संख्या 746/2001) को प्रकाशित करती है जो केन्द्रीय सरकार को 05-08-2002 को प्राप्त हुआ था।

[सं. एल-11012/42/2001-आई.आर. (विविध)]
बी. एम. डेविड, अवसर सचिव

New Delhi, the 7th August, 2002

S.O. 2802.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 746/2001) of the Central Government Industrial Tribunal Chennai, now as shown in the Annexure Industrial Dispute between the employers

in relation to the management of Airport Authority of India and their workman, which was received by the Central Government on 5-8-2002.

[No. L-11012/42/2001-IR(M)]

B. M. DAVID, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, CHENNAI

Friday, the 26th July, 2002

PRESENT :

K. Karthikeyan, Presiding Officer.

Industrial Dispute No. 746/2001

(In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Workman Sri G. George Victor and the Management of Airport Authority of India (IAD))

BETWEEN

Sri G. George Victor, . . I Party/Workman

AND

Airport Authority of India,
(IAD), Chennai. . . II Party/Management

APPEARANCE :

For the Workman.—Unrepresented.

For the Management.—Sri A. J. Jawad, R.J.
Kannan and V. Lokesh Kumar, Advocates.

The Government of India, Ministry of Labour in exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947), have referred the concerned industrial dispute for adjudication vide Order No. L 11012/42/2001/IR(M), dated 27-11-2001.

On receipt of the order of reference from the Government of India, Ministry of Labour, this case has been taken on file as I.D. No. 746/2002 and notices were sent to the parties to the dispute, with a direction to appear before this Tribunal on 28-12-2001 to file their respective Claim Statement and Counter Statement and to prosecute this case further. The date on which the hearing was fixed, as no one appeared before this Tribunal fresh notice had been ordered to both the parties for 15-2-2002. Both the notices sent by registered post to the I Party/Workman returned un-served with the postal remark 'as left'. Though the order of reference cited above, sent by the Ministry of Labour directly to the party to the given address he has not chosen to appear before this Tribunal within fifteen days of receipt of that reference and to file his Claim Statement. The counsel who entered appearance for the II Party|

Management had filed his statement of objection to the dispute raised by the I Party/Workman with the copy of the claim petition filed by the Petitioner while raising this dispute earlier before the conciliating authority.

When the matter came up before me for final hearing on 13-6-2002, upon perusing the order of reference, statement of objection filed by the II Party/Management along with xerox copy of the 2A petition filed by the I Party/Workman before the conciliating authority, the other material papers on record, on hearing the arguments advanced by the learned counsel for the II Party/Management alone and this matter having stood over till this date for consideration, this Tribunal has passed, on merits, the following :—

AWARD

The Industrial Dispute referred to in the above mentioned order of reference by the Central Government for adjudication by this Tribunal is as follows :—

“Whether the alleged termination and non-employment of Sri G. George Victor by the Airport Authority of India (IAD) is legal and justified? If not, to what relief is the workman entitled?”

2. The I Party/Workman Sri G. George Victor had earlier raised an industrial dispute under section 2A of Industrial Disputes Act, 1947 before the Regional Labour Commissioner (Central), Chennai against the II Party/Management Airport Authority of India, Chennai (hereinafter refers to as Respondent) for conciliation about his claim for reinstatement in service with back wages. As the conciliation effort taken by the concerned authority ended in a failure, he submitted a failure of conciliation report to the Government, which in turn have referred this matter as an industrial dispute to this Tribunal for adjudication under the above mentioned order of reference. Both the notices sent by registered post by this Tribunal to the Petitioner Sri G. George Victor returned unserved with the postal endorsement ‘left’. Though the order of reference has been sent earlier by the Ministry directly to the I Party/Workman as the direction mentioned therein, he has not chosen to appear before this Tribunal within 15 days from the receipt of that order of reference from the Government. The counsel for the II Party/Management appeared and filed his vakalat with his statement of objection along with the copy of 2A claim petition filed by the I Party/Workman earlier before the conciliating authority. Since, there was no representation on the side of the I Party/Workman and this industrial dispute has not been prosecuted by the I Party/Workman before this Tribunal, the argument advanced by the learned counsel for the II Party/Management was heard to decide the dispute on merits, with the available records.

3. The I Party/Workman Sri George Victor, the Petitioner herein, has stated in his earlier claim before the conciliating authority that he entered service into the II Party/Management Airport Authority of India Chennai (hereinafter refers to as Respondent) as a sweeper on 1-11-94. Then after about 12 months of

continuous service, he was orally refused employment by the Respondent for no reasonable cause of excuse. At that time, his last drawn pay was Rs. 500 p.m. He had further contended that his juniors like Devi, Lalitha, Kanaga, Elavarasan, Kandan, Banumathi, Shanthi and Kumaravelu who were similarly employed by the Respondent are still in service. It is his further contention that he was employed only in the Respondent premises throughout his service and at times of accident if any, the Doctor who is permanently employed by the Respondent used to treat the worker. It is further contended in the claim petition that the Supreme Court has held that the services of the sweepers have to be regularised. Therefore, the termination of the Petitioner from service on 30-11-1995 after he has been engaged for 12 months of continuous service amounts to unfair labour practice. Employing the juniors of the Petitioner in service by the Respondent would amount to discrimination and illegal and mala fide in the eye of law. Hence, it is prayed that the Respondent/Management may be directed to reinstate the Petitioner in service with all benefits.

4. The Respondent/Management in the statement of objection to this dispute raised by the I Party/Workman has stated as follows :—

The Petitioner was not engaged as a workman by the Respondent either casual, temporary or on ad-hoc basis as sweeper. Further when he was not employed, there is no question of orally refusing him any employment. Since he is not a workman within the meaning of Industrial Disputes Act, the provisions of Industrial Disputes Act, 1947 would not apply, as there was no appointment of the Petitioner with the Respondent and there is no relationship of employer and employee between them and therefore, the dispute is to be dismissed in limini. Under such circumstances, the Industrial Disputes Act would not apply for adjudicating the dispute referred by the Government on the so-called termination of service. When the Petitioner was not employed by the Respondent, the alleged termination or non-employment of the Petitioner by the Respondent does not arise. Therefore, the question of unfair labour practice or violation of Section 25N or 25G of the Industrial Disputes Act, 1947 would not arise and there is no requirement to pay retrenchment compensation. The Supreme Court of India on 30-8-2001, in the case of Steel Authority of India Ltd. Vs. National Union Waterfront Workers has quashed the notification issued by the Central Government on 9-12-1976 and over-ruled the judgement of Apex Court in the Air India Case prospectively. Also, the Supreme Court in this case held that consequently, the Principal employer cannot be required to order absorption of the contract labour working in the concerned establishment. Therefore, the automatic absorption of contract labourers in any establishment by the principal employer is not required. Therefore, in these circumstances, it is prayed that this Hon'ble Tribunal may be pleased to dismiss the case as devoid of merits and unsustainable either in law or on facts.

5. When the matter was taken up for final enquiry, the learned counsel for the II Party/Management alone present and there was no representation for the I Party/Workman. In the absence of filing any

Claim Statement of I Party/Workman in respect of this industrial dispute referred to by the Government for adjudication as one that has been raised by the I Party/Workman, the learned counsel for the II Party/Management has advanced his argument on the basis of the claim that has been raised by the I Party/Workman earlier before the conciliating authority and the statement of objection he has filed before this Tribunal for that claim of the Petitioner. Then the matter has been reserved for orders to be delivered on merits, on consideration of the materials available in this case.

6. The Point for my consideration is—

“Whether the alleged termination and non-employment of Sri G. George Victor by the Airport Authority of India (IAD) is legal and justified? If not, to what relief is the workman entitled?”

Point :—

Though the dispute has been raised by the I Party/Workman, in spite of the twice the notices were sent by registered post to the given address and the order of reference has been directly sent to his address by the Ministry earlier with a direction to him to appear before this Tribunal within 15 days of the receipt of order of reference, he has not chosen to appear before this Tribunal and to file his Claim Statement in respect of the industrial dispute he has raised which has been referred to this Tribunal by the Government for adjudication. He remained absent without prosecuting the dispute he has raised against the Respondent/Management. So, on the basis of the materials available in this case as the copy of the claim that has been raised by this Petitioner/Workman before the conciliating authority earlier and the statement of objection filed by the II Party/Management, here before this Tribunal for that claim of the Petitioner and on the basis of the arguments advanced by the learned counsel for the II Party/Management, it was decided to adjudicate the matter, on merits.

7. It is seen from the Claim Statement filed by the I Party/Workman earlier before the conciliating authority in respect of this industrial dispute that he alleged to have entered into service under the Respondent as a Sweeper on 1-11-94 and had worked as a sweeper under the Respondent/Management in their premises for a continuous period of 12 months till 30-11-1995, then he was orally refused employment by the Respondent/Management. This specific allegation of the Petitioner about his employment under Respondent/Management has not been established by letting any oral or documentary evidence before this Tribunal, when especially the Respondent/Management has denied that allegation stating that the Petitioner was never employed by the Respondent/Management at any point of time and there was no employer and employee relationship between themselves. Like that for the other allegation that his juniors were employed as sweepers by the Respondent have been regularised and he only has been denied employment which amounts to unfair labour practice and discrimination, no evidence is available. He has also relied upon a decision of the Supreme Court in regularising the casual workers employed as sweepers by the Respondent Airport Authority of

India. For accepting that contention that direction of the Supreme Court is applicable to the Petitioner also no material has been placed before this Tribunal. On the other hand, as it is stated in the statement of objection by the II Party/Management, the Supreme Court of India on 30-8-2001 in the Steel Authority of India Ltd. Vs. National Union Waterfront Workers has quashed the notification issued by the Central Government on 9-12-76 and over-ruled the judgement of the Apex Court in the Air India case prospectively. As such the Supreme Court has held that the Principal employer cannot be required to order absorption of the contract labour working in the concerned establishment. Therefore, as it is contended by the Respondent/Management in the statement of objection, the automatic absorption of contract labourers in their establishment by the Respondent/Management as a principal employer is not required. Further, in the absence of any concrete, legal acceptable evidence to show that the Petitioner was employed at any time under the Respondent as sweeper even as the contractual casual labour, as it is contended by the learned counsel for the Respondent/Management, there cannot be any employer and employee relationship between the parties. Under such circumstances, there is no question of application of the provisions of Industrial Disputes Act, 1947 for the Petitioner to demand any relief under the said Act. So the question of reinstatement in service or any retrenchment compensation as a claim made by the Petitioner/Workman does not arise. Under such circumstances, it can be held that the claim of the workman Sri G. George Victor for reinstatement with back wages cannot be considered as legal and justified. Hence, he is not entitled for any relief. Thus, the point is answered accordingly.

8. In the result, an Award is passed holding that the I Party/Workman Sri G. George Victor is not entitled for any relief. No Cost.

(Dictated to the Stenographer, transcribed and typed by him, corrected and pronounced by me in the open court on this day the 26th July, 2002.)

K. KARTHIKEYAN, Presiding Officer

Witnesses Examined :—

On either side.—None.

Documents Marked :—

On either side.—Nil.

नई दिल्ली, 7 अगस्त, 2002

का.आ. 2803.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एयरपोर्ट ऑथोरिटी आफ इंडिया के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चेन्नई के पंचाट (संदर्भ संख्या 23/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-8-2002 को प्राप्त हुआ था।

[सं. एल-11012/65/2001—आईआर (विविध)]

बी. एम. डेबिड, अवर सचिव

New Delhi, the 7th August, 2002

S.O. 2803.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 23/2002) of the Central Government Industrial Tribunal, Chennai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Airport Authority of India and their workman, which was received by the Central Government on 5-8-2002.

[No. L-11012/65/2001-IR(M)]

B. M. DAVID, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Friday, the 26th July, 2002

PRESENT :

K. KARTHIKEYAN, Presiding Officer.

Industrial Dispute No. 23/2002

[In the matter of the dispute for adjudication under clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Workman Sri B. Elumalai and the Management of Airport Authority of India. (IAD)].

BETWEEN

Sri B. Elumalai . . . I Party/Workman.

AND

Airport Authority of India,
(IAD), Chennai. . . II Party/Management.

APPEARANCE :

For the Workman : Unrepresented

For the Management : Sri A. J. Jawad, R. J.
Kannan and V.
Lokesh, Advocates.

The Government of India, Ministry of Labour in exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947), have referred the concerned industrial dispute for adjudication vide Order No. L-11012/65/2001-IR(M) dated 28-2-2002.

On receipt of the order of reference from the Government of India, Ministry of Labour, this case has been taken on file as I.D. No. 23/2002 and notices were sent to the parties to the dispute, with a direction to appear before this Tribunal on 5-4-2002 to file their respective Claim Statement and Counter Statement and to prosecute this case further. In response to the notice of this Tribunal, the counsel proposes to appear for the I Party/Petitioner represented that he wants time to file vakalat and Claim Statement

for the Petitioner. But in the subsequent hearings, neither the Petitioner nor the proposed counsel had ever appeared before this Tribunal and made by representation. The counsel for the II Party/Management filed the statement of objection with the copy of the claim petition filed by the Petitioner before the conciliating authority.

When the matter came up before me for final hearing on 3-6-2002, upon perusing the order of reference, statement of objection filed by the II Party/Management along with xerox copy of the 2A petition filed by the I Party/Workman before the conciliating authority, the other material papers on record, on hearing the arguments advanced by the learned counsel for the II Party/Management alone and this matter having stood over till this date for consideration, this Tribunal has passed, on merits, the following:—

AWARD

The Industrial Dispute referred to in the above mentioned order of reference by the Central Government for adjudication by this Tribunal is as follows:—

“Whether the claim of the workman Sri B. Elumalai for reinstatement with back wages is legal and justified? If not, to what relief the workman is entitled?”

2. The I Party/Workman Sri B. Elumalai had earlier raised an industrial dispute under Section 2A of Industrial Disputes Act, 1947 before the Regional Labour Commissioner (Central), Chennai against the II Party/Management Airport Authority of India, Chennai (hereinafter refers to as Respondent) for conciliation about his claim for reinstatement in service with back wages. As the conciliation effort taken by the concerned authority ended in a failure, he submitted a failure of conciliation report to the Government, which in turn have referred this matter as an industrial dispute to this Tribunal for adjudication under the above mentioned order of reference. Though the notice sent by registered post by this Tribunal to the Petitioner Sri B. Elumalai received by him and the postal acknowledgement for the same has been received back by this Tribunal, he has not chosen to appear before this Tribunal on the appointed date of hearing. When the counsel for the II Party/Management appeared filed his vakalat, the matter has been adjourned to next hearing date for the Petitioner to appear and to file his Claim Statement. On that hearing, a counsel represented that he proposed to appear for the I Party/Workman and requested time to file his vakalat and Claim Statement for the I Party/Workman. On his request, the case has been adjourned to the next hearing date. On that date, neither the I Party/Workman nor his counsel proposed to appear had appeared and filed any vakalat or Claim Statement for the I Party/Workman. The counsel for the II Party/Management alone was present. So, on his request, the case was adjourned to the next hearing date for filing statement of objection of the II Party/Management for the dispute raised by the I Party/Workman, which has been referred by the Government to this Tribunal for adjudication as an industrial dispute. Subsequently, on the adjourned date, the counsel for the II Party/Management had filed his statement of objection, with the copy of the 2A petition filed by

the I Party/Workman before the conciliating authority while raising his claim as an industrial dispute for conciliation. Since there was no representation on the side of the I Party/Workman and this industrial dispute has not been prosecuted by the I Party/Workman before this Tribunal, the argument advanced by the learned counsel for the II Party/Management was heard to decide the dispute on merits with the available records.

3. The I Party/Workman Sri B. Elumalai, the Petitioner herein, has stated in his earlier claim before the conciliating authority that he entered service into the II Party/Management Airport Authority of India, Chennai (hereinafter refers to as Respondent) as a sweeper on 1-6-95 through an agent Mr. Vetrivelan. Then after one year of continuous service, he was orally refused employment by the Respondent on 1st June, 1996. At that time, his last drawn pay was Rs. 600 p.m. He had further contended that his juniors like Ramesh, Laser, Dhanapal, Mohan, Vedagiri, Kanaga, Annammal, Banumathi who were similarly employed by the Respondent are still in service. It is his further contention that he was employed only in the Respondent premises throughout his service and at times of accident if any, the Doctor who is permanently employed by the Respondent used to treat the worker. It is further contended in the claim petition that the Supreme Court has held that the services of the sweepers to be regularised. Therefore, the termination of the Petitioner from service on 1-6-96 after he has been engaged for one year amounts to unfair labour practice. Employing the juniors of the Petitioner in service by the Respondent would amount to discrimination and illegal and mala fide in the eye of law. Hence, it is prayed that the Respondent/Management may be directed to reinstate the Petitioner in service with all benefits.

4. The Respondent/Management in the statement of objection to this dispute raised by the I Party/Workman has stated as follows :—

The Petitioner was not engaged as a workman by the Respondent either casual, temporary or on ad-hoc basis as sweeper. Further when he was not employed, there is no question of orally refusing him any employment. Since he is not a workman within the meaning of Industrial Disputes Act, the provisions of Industrial Disputes Act, 1947 would not apply, as there was no appointment of the Petitioner with the Respondent and there is no relationship of employer and employee between them and therefore, the dispute is to be dismissed in limine. Under such circumstances, the Industrial Dispute Act would not apply for adjudicating the dispute referred by the Government on the so called termination of service. When the Petitioner was not employed by the Respondent, the alleged termination or non-employment of the Petitioner by the Respondent does not arise. Therefore, the question of unfair labour practice or violation of Section 25N or 25G of the Industrial Disputes Act, 1947 would not arise and there is no requirement to pay retrenchment compensation. The Supreme Court of India on 30-8-2001, in the case of Steel Authority of India Ltd. Vs. National Union Waterfront Workers has quashed the notification issued by the Central Government on 9-12-1976 and over-ruled the judge-

ment of Apex Court in the Air India Case prospectively. Also, the Supreme Court in this case held that, consequently, the Principal employer cannot be required to order absorption of the contract labour working in the concerned establishment. Therefore, the automatic absorption of contract labourers in any establishment by the principal employer is not required. Therefore, in these circumstances, it is prayed that this Hon'ble Tribunal may be pleased to dismiss the case as devoid of merits and unsustainable either in law or on facts.

5. When the matter was taken up for final enquiry, the learned counsel for the II Party/Management alone present and there was no representation for the I Party/Workman. In the absence of filing any Claim Statement of I Party/Workman in respect of this industrial dispute referred to by the Government for adjudication as one that has been raised by the I Party/Workman, the learned counsel for the II Party/Management has advanced his argument on the basis of the claim that has been raised by the I Party/Workman earlier before the conciliating authority and the statement of objection he has filed before this Tribunal for that claim of the Petitioner. Then the matter has been reserved for orders to be delivered on merits, on consideration of the materials available in this case.

6. The Point for my consideration is—

“Whether the claim of the workman Sri B. Elumalai for reinstatement with back wages is legal and justified? If not, to what relief the workman is entitled?”

Point :—

Though the dispute has been raised by the I Party/Workman, inspite of the fact a notice has been served on him by registered post and the postal acknowledgement has been received by this Tribunal back, he has not chosen to appear before this Tribunal to file his Claim Statement in respect of the industrial dispute he has raised against the II Party/Management and to prosecute this case. So, on the basis of the materials available in this case as the copy of the claim that has been raised by this Petitioner/Workman before the conciliating authority earlier and the statement of objection filed by the II Party/Management, here before this Tribunal for that claim of the Petitioner and on the basis of the arguments advanced by the learned counsel for the II Party/Management, it was decided to adjudicate the matter on merits. It is seen from the Claim Statement filed by the I Party/Workman earlier before the conciliating authority in respect of this industrial dispute that he alleged to have entered into service under the Respondent as a Sweeper on 1-6-95 through an agent Mr. Vetrivelan and had worked as a sweeper under the Respondent/Management in their premises till 1-6-96, then he was orally refused employment by the Respondent/Management. This specific allegation of the Petitioner about his employment under Respondent/Management has not been established by letting any oral or documentary evidence before this Tribunal, when especially the Respondent/Management has denied that allegation stating that the Petitioner was never employed by the Respondent/Management at any point of time and there was no employer and employee relationship between themselves. Like

that for the other allegation that his juniors were employed as sweepers by the Respondent have been regularised and he only has been denied employment which amounts to unfair labour practice and discrimination no evidence is available. He has also relied upon a decision of the Supreme Court in regularising the casual workers employed as sweepers by the Respondent Airport Authority of India. For accepting that contention that direction of the Supreme Court is applicable to the Petitioner also no material has been placed before this Tribunal. On the other hand, as it is stated in the statement of objection by the II Party/Management, the Supreme Court of India on 30-8-2001 in the Steel Authority of India Ltd. Vs. National Union Waterfront Workers has quashed the notification issued by the Central Government on 9-12-76 and over-ruled the judgement of the Apex Court in the Air India case prospectively. As such the Supreme Court has held that the Principal employer cannot be required to order absorption of the contract labour working in the concerned establishment. Therefore, as it is contended by the Respondent/Management in the statement of objection the automatic absorption of contract labourers in their establishment by the Respondent/Management as a principal employer is not required. Further in the absence of any concrete, legal acceptable evidence to show that the Petitioner was employed at any time under the Respondent as sweeper even as the contractual casual labour, as it is contended by the learned counsel for the Respondent/Management, there cannot be any employer and employee relationship between the parties. Under such circumstances, there is no question of application of the provisions of Industrial Disputes Act, 1947 for the Petitioner to demand any relief under the said Act. So, the question of reinstatement in service or any retrenchment compensation as a claim made by the Petitioner/Workman does not arise. Under such circumstances, it can be held that the claim of the workman Sri B. Elumalai for reinstatement with back wages cannot be considered as legal and justified. Hence, he is not entitled for any relief. Thus, the point is answered accordingly.

7. In the result, an Award is passed holding that the I Party/Workman Sri B. Elumalai is not entitled for any relief. No cost.

(Dictated to the Stenographer, transcribed and typed by him, corrected and pronounced by me in the open court on this day the 26th July, 2002.)

K. KARTHIKEYAN, Presiding Officer

Witnesses Examined :—

On either side : None.

Documents Marked :—

On either side : Nil.

नई दिल्ली, 8 अगस्त, 2002

का.प्र. 2804.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ महाराष्ट्र के प्रबंधन के संबद्ध नियोजकों और उनके कर्मियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक

विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/प्रमत्त्यालय लखनऊ के पंचाट (संदर्भ संख्या 36/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-8-2002 को प्राप्त हुआ था।

[सं. एल-12011/32ए/90-प्रार्थनार (बी-II)]

सी. गंगाधरण, अवर सचिव

New Delhi, the 8th August, 2002

S.O. 2804.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 36/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Bank of Maharashtra and their workman, which was received by the Central Government on 8-8-2002.

[No. L-12011/32A/90-IR(B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

PRESENT :

Rudresh Kumar, Presiding Officer

I.D. No. 36/2002 (Delhi No. 146/90)

Ref. No. L-12011/32 A/90 IR(B-II) dt. 4-12-1990

BETWEEN

The General Secretary, Mahabank Karmchari Sangh, 898 Nai Sarak, Chandni Chowk, New Delhi-6 (espousing cause of H. K. Singh and Others).

AND

Asstt. General Manager, Bank of Maharashtra North Zone, 6/30-31, W.E.A. Karolbagh, New Delhi-5.

AWARD

By Order No. L-12011/32 A/90 I.R. (B-II) dated 4-12-90, the Central Government in the Ministry of Labour, in exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute between General Secretary, Mahabank Karmchari Sangh, 898 Nai Sarak, Chandni Chowk, New Delhi (espousing cause of H. K. Singh and others) and Asstt. General Manager, Bank of Maharashtra, North Zone, 6/30-31, Karolbagh, New Delhi for adjudication to the CGIT-cum-Labour Court, New Delhi. Later vide Order No. Z-20025/54/2001-CLS. II dated 19-4-2002 the Central Government transferred this industrial dispute to this Tribunal for adjudication.

The reference under adjudication is reproduced.

"Whether the action of the management of Bank of Maharashtra in not granting Privilege Leave to S/Sh. H. K. Singh, Chander Pal Singh, Hari Chand Samaria, Bhanwar Lal Nayar, Sohan Lal, Diwan Singh as per clause 13.20 of Bipartite Settlement was justified? If not, to what relief are the workman entitled?"

2. Through the reference, relief in favour S/Sh. H. K. Singh, Hari Chand Samaria, Bhanwar Lal Layak, Sohan Lal, Chander Pal Singh and Diwan Singh as per clause 13.20 of the Bipartite Settlements, is sought, not a word is stated, as how the above named persons were wronged by denying privilege leave as per para 13.20 of the Bipartite Settlements. In fact, there exists neither a dispute nor any difference between the parties. The provision contained in the said para is admitted by the management. The management has also stated to comply with the spirit of the said provisions, if occasions arise. So, there is no dispute or difference to bring the stated facts, in cover of an 'industrial dispute', and the reference is not maintainable.

3. Para 13.39 of the Bipartite Settlements deals with special leave and not privilege leave. No material is on record to show non-compliance of the said para. This para or special leave sought for, if any, is not covered by the scope of reference.

4. Accordingly, the reference is answered against the workman. They are not entitled to any relief.

Award as above.

Lucknow,

Dated : 5-8-2002.

RUDRESH KUMAR, Presiding Officer

नई दिल्ली, 8 अगस्त, 2002

का.अ. 2805.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ बड़ौदा के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय चेन्नई के पंचाट (संदर्भ संख्या 640/2001) को को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-8-2002 को प्राप्त हुआ था।

[सं. एल-12011/83/97-आईआर (बी-II)]

सी. गंगाधरन, अवर सचिव

New Delhi, the 8th August, 2002

S.O. 2805.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 640/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Chennai as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Bank of

Baroda and their workman, which was received by the Central Government on 8-8-2002.

[No. L-12011/83/97-IR(B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, CHENNAI

Monday, the 29th July, 2002

PRESENT :

K. Karthikeyan, Presiding Officer.

Industrial Dispute No. 64/2001

(Tamil Nadu Principal Labour Court CGID.
No. 22/98)

[In the matter of the dispute for adjudication under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of Bank of Baroda, Coimbatore and their workmen.]

BETWEEN

The General Secretary,
Bank of Baroda
Employees Union.

... I Party/Claimant.

AND

The Assistant General Manager,
Bank of Baroda,
Coimbatore.

... II Party/Management.

APPEARANCES :

For the Claimant : Mr. N. Sachindanandam,
Authorised Representative.

For the Management : Sri K. S. V. Prasad,
Advocate.

The Government of India, Ministry of Labour, in exercise of powers conferred by clause (d) of Sub-section (1) and sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947), have referred the concerned Industrial Dispute for adjudication vide Order No. L-12011/83/97/IR(B-II) dated 20th October, 1998.

This reference has been made earlier to the Tamil Nadu State Industrial Tribunal and subsequently transferred to Tamil Nadu Principal Labour Court for adjudication, where it was taken on file as C.G.I.D. No. 22/98. When the matter was pending enquiry in that Principal Labour Court, the Government of India, Ministry of Labour was pleased to order transfer of this case from that Principal Labour Court to this Tribunal for adjudication. On receipt of records from that Principal Labour Court, the case has been taken on file as I.D. No. 640/2001 and notices were sent to the I Party/Claimant and the counsel on record for the II Party/Management, informing them about the transfer of this case to this Tribunal, with a direction

to appear before this Tribunal on 17-10-2001 to prosecute this case further. On receipt of notice from this Tribunal, authorised representative for the I Party/Union and the counsel for the II Party/Management were present and prosecuted this case further.

When the matter was taken up for enquiry finally on 17-6-2002, both the parties and the authorised representative for the I Party/Union and the counsel for the II Party/Management remained absent. There was no representation at all on either side. Hence, the orders were reserved to decide the dispute on merits with the available materials and records. Upon perusing the Claim Statement, Counter Statement, the other material papers on record, and this matter having stood over till this date for consideration, this Tribunal has passed on merits the following :—

AWARD

The Industrial Dispute referred to in the above order of reference by the Central Government for adjudication by this Tribunal is as follows :—

“Whether the action of the Management of Bank of Baroda in not assigning the Agricultural Assistant job to senior most clerical staff of the Pollachi and Morupatti-Mettupalayam branches is justified or not? If not, to what relief the senior-most employees of the branches are entitled?”

2. The averments in the Claim Statement filed by the I Party/Claimant, the General Secretary, Bank of Baroda Employees Union (hereinafter refers to as Petitioner) are briefly as follows :—

The service conditions of bank employees are governed by Bi-partite Settlements. The clerical staff are paid special allowance for carrying out special duties mentioned in the Bi-partite Settlements. One such special allowance is Agricultural Assistant Allowance. The number of posts of Agricultural Assistants at each branch are decided by the bank concerned, according to the procedure and practice followed by the bank. In the Pollachi branch of Bank of Baroda for the GVK Department, two permanent Agricultural Assistant posts were in existence. On 13-3-95, one Mr. Karuthanandian, Agricultural Assistant was transferred from Morupatti branch to Pollachi branch as a management transfer, pending investigation of charges against him and hence there were totally three Agricultural Assistants at that branch. Subsequently, when Mr. T.S.R. Nair, permanent Agricultural Assistant at the Pollachi branch was transferred to Trichur, the bank did not care to fill up the vacancy caused by his transfer. Thus, the Agricultural Assistant Allowance to be entrusted to the next senior person Mr. Mohandoss was denied to him. Hence, the Petitioner raised the issue before the Regional Management of Bank of Baroda in TN II region and Petitioner Union's various representations were not considered. Similarly during 1995 at Morupatti-Mettupalayam branch two Agricultural Assistant posts were in existence. But the management filled up the vacancy by entrustment of Agricultural Assistant to only one person at the branch i.e. Mr. Arulraj and the other vacancy was not filled up. Later, Mr. Baskaran, Agricultural Assistant from Melattur was transferred to Morupatti-Mettupalayam

branch on management's instance, pending investigation against him due enquiry proceedings and then the management wanted to treat this as filling up vacancy, thereby denying the rightful allowance to the actual senior most person working at Morupatti-Mettupalayam branch. This unfair practice of the management was questioned by the Petitioner and the Petitioner's representations went unheeded. Thus, the Petitioner left with no alternative raised an industrial dispute under Section 2A of the Industrial Disputes Act, 1947 before the Assistant Labour Commissioner (Central), Chennai during December, 1995 for non-assignment of Agricultural Assistant Allowance to eligible clerical staff at Pollachi and Morupatti-Mettupalayam branches of Bank of Baroda. Since the efforts of the conciliation officer to bring about the settlement based on the information furnished by the Petitioner regarding the existence of a vacancy of Agricultural Assistant Post at Pollachi and Morupatti-Mettupalayam branches and also denial of rightful allowance to the next senior person at the respective branch was not fruitful, due to the unreasonable stand of the Respondent/Bank and hence, the conciliation ended in a failure. Though, the Petitioner was agreeable for arbitration, the Respondent/Bank rejected the suggestion of the Assistant Labour Commissioner (Central), Chennai in this regard. Based on the failure of conciliation report of the conciliation officer, the Ministry of Labour, Government of India, New Delhi in exercise of its powers ultimately decided to refer the issue of non-assignment of Agricultural Assistant Allowance to the rightful staff at Pollachi and Morupatti-Mettupalayam branches for adjudication by this Tribunal. The Respondent-Bank took up an unreasonable stand of filling up vacancy through compulsory transfer from other branches without any valid settlements or agreements to that effect. The Petitioner was not aware of any change of service conditions in the bank nor was the Petitioner informed about any change of such procedure by the Respondent/Bank. The action of the Respondent/Bank in not entrusting Agricultural Assistant allowance to the eligible senior persons at Pollachi and Morupatti-Mettupalayam branches is unjust and illegal. It is highly unfair and violative of the existing procedure and practice of the bank. The senior most clerical staff at the respective branches are entitled to the assignment of Agricultural Assistant allowance from the date of vacancy caused at the respective branches and the Respondent/Bank's act of filling those permanent vacancies by posting another Agricultural Assistant from some other branches, who were facing enquiry proceedings against them and were compulsorily transferred to Pollachi and Morupatti-Mettupalayam branches without their requests is illegal and unjustified. By bringing a person on transfer from other branch and treating it as having filled up the vacancy at the original branch denies the rightful eligibility of senior person at the branch for his entitlement of allowance. The denial of Agricultural Assistant allowance to Mr. Mohandoss at Pollachi and the next senior person at Morupatti-Mettupalayam branch is violative of the provisions of norms in Respondent/Bank for filling up of special allowance posts. The Respondent/Bank's act of filling up of special allowance post by compulsory transfer of people facing enquiries from other branches is highly arbitrary and would amount to filling up posts on whims and fancies. The Respondent/Bank cannot violate the

existing norms/procedure to deny the rightful allowance to senior most staff working at the branches. The non-entrustment of the Agricultural Assistant allowance to the next seniormost persons at Pollachi and Morupatti-Mettupalayam branches amounted to unfair labour practice by the Respondent/Bank it has no rationale. Hence, it is prayed that this Hon'ble Court may be pleased to consider the claim made by the Petitioner Union and direct the Respondent/Bank to assign the Agricultural Assistant allowance to the senior most employee at the Pollachi and Morupatti-Mettupalayam branches with all attendant benefits, to which the eligible employees are legally entitled to.

3. The averments in the Counter Statement filed by the II Party/Management Bank of Baroda, Coimbatore (hereinafter refers to as Respondent) are briefly as follows :—

Mr. Mohandoss on whose behalf the dispute was sought to be raised was already transferred to Ponmeni branch, Madurai on 18-5-98 and no dispute subsists on that ground. The practice and procedure in the bank relating to payment of Agricultural Assistant allowance is as follows :—

The Agricultural Assistant allowance is a special allowance paid to the clerical staff who are assigned the special duties of Agricultural Assistants mentioned in the Bipartite Settlements. The number of such posts in the branches are determined by the bank. The need for assigning such special allowance duties of Agricultural Assistants to the members of clerical staff in the branch is assessed depending upon the total number of Agricultural accounts strength of staff available in a branch i.e. number of officers and clerks etc. The special duties are assigned generally and not necessarily to the senior most clerical staff who in the opinion of the bank can discharge the duties well. It is not mandatory for the bank to fill up any vacancy in the post of Agricultural Assistant in a branch with the senior most clerical member. If transfer of a clerk is made with the special allowance of Agricultural Assistant the vacancy at the branch need not be filled up by branchwise seniority. The bank is not precluded from transferring any assistant merely because an enquiry is pending or contemplated against him. The transfer of an assistant for administrative and banking reasons is a prerogative of the management. Admittedly, the number of Agricultural Assistant posts at Pollachi branch was two. On 13-3-95 Mr. Karuthapandian was transferred to Pollachi branch from Morupatti. Thus, there were three Agricultural Assistant at Pollachi. Subsequently, Mr. T. S. R. Nair was transferred from Pollachi branch to Trichur thus regularising the number of Agricultural Assistant posts at Pollachi to two. So there was no question of any vacancy arising on transfer of Mr. T. S. R. Nair or bank's non-filling up thereof. Therefore, there was no question of non-payment of Agricultural Assistant allowance to next senior clerk namely Mohandoss. Therefore, the issue raised by the Petitioner Union before the management that on transfer of Sri Nair the next senior clerk namely Mohandoss should have been paid Agricultural Assistant allowance was baseless and meaningless. Similarly, the number of Agricultural Assistant posts at Morupatti-Mettupalayam branch were two. The vacancy for the 2nd post

was filled up by transfer of Mr. Baskaran from Melattur. The management need not necessarily assign the duties only to the senior most clerk in the branch, as stated earlier. There is no unfairness in transferring an employee from one branch to another for administrative reasons due to the exigencies or needs of management. The grievance of the Union appears to be that only the senior most clerk in the branch should be assigned those duties and paid that allowance. There was no such practice or procedure nor was it mandatory for the bank to do it. Mr. Karuthapandian and Mr. Baskaran were the senior most eligible clerks for assignment of duties of Agricultural Assistant, they were so assigned and later transferred to posts where they have to discharge the same duties. The transfer of Mr. Baskaran was not as such questioned. Therefore, as no genuine or bonafide dispute existed the bank did not agree for referring the matter to arbitration. With the flimsy and baseless disputes, the Petitioner Union has attempted to challenge the basic right of the management to transfer its employees, trying to do indirectly what it cannot do directly. The right of management to transfer a clerk due to exigencies or administrative needs and maintain or increase the efficiency is unassailable and it is well settled legal position that such transfer do not constitute a change in conditions of service. Moreover, such special allowance will be continued to be paid to those who have been assigned such special duties unless the transfer of the employee is at his request. The bank, accordingly, was paying the Agricultural Assistant allowance to both Mr. Baskaran and Mr. Karuthapandi at the branches to which they were transferred. Since no valid, genuine and/or bonafide dispute existed, the reference made is invalid, illegal and untenable. The action of the management in not assigning the Agricultural Assistant job to senior most clerical staff of the Pollachi and Morupetti-Mettupalayam branches is justified. The senior most employees of those branches are not entitled to any relief. The reference may be answered accordingly. The filling up of vacancy by transfer of an employee is not an unreasonable stand. It does not constitute any change of service nor was there any change of procedure by the bank. The transfer of a clerk assigning him same special duties and paying him special allowance therefore is neither unfair nor violative of the existing procedure and/or practice of the bank. The bank is not required to provide more than the sanctioned number of posts of Agricultural Assistants at any branch. The number of posts at those branches was two each and the posts were filled up. The stand of the Petitioner that the senior most clerical staff at those branches were entitled to the assignment of Agricultural Assistant Allowance from the date of vacancy is untenable, baseless and illegal. The bank has the right to transfer an employee and also the right to transfer him assigning the same duties with special payment therefor. The senior most clerk may aspire for assignment of special duties, but it is the prerogative and discretion of the bank to assign special duties to such persons or transfer another experienced clerk from another branch. There was no denial of Agricultural Assistant Allowance to Mr. Mohandoss nor was a transfer to that branch another Agricultural Assistant violative of any provisions or norms. Therefore, it

is prayed that this Hon'ble Court may be pleased to dismiss the industrial dispute.

4. The I Party/Petitioner Union has filed an additional plea to the Claim Statement stating that the employee Mr. Mohandoss has been denied Agricultural Assistant duties from 1st April, 1996 at the Pollachi branch and Mr. Arulraj has been denied Agricultural Assistant duties from 1st April, 1996 at Morupatti-Mettupalayam branch. The Petitioner Union has further requested that this Hon'ble Tribunal may direct the Respondent/Bank to assign Agricultural Assistant duties to the said senior most employees at their respective branches with effect from 1-4-1996 with all attendant benefits, to which they are legally entitled to.

5. Though the matter has been adjourned for enquiry subsequent to the additional plea has been filed by the Petitioner Union on 21-1-2002 to very many hearings, neither the party has come forward to prosecute this case further. When the matter has come for enquiry on 17-6-2002, both the parties and the representative of the I Party/Union and the counsel for the II Party/Management were not present, as usual and there was no representation. Hence, orders have been reserved to decide the dispute on merits with available records and materials. No one has been examined as a witness on either side. No document has been filed on either side as an exhibit.

6. The Point for my consideration is—

"Whether the action of the Management of Bank of Baroda in not assigning the Agricultural Assistant job to senior most clerical staff of the Pollachi and Morupatti-Mettupalayam branches is justified or not? If not to what relief the senior most employees of the branches are entitled?"

Point :—

The above mentioned reference for adjudicating the industrial dispute between the parties as mentioned in the Schedule dated 20-10-1998 earlier referred to Tamil Nadu State Industrial Tribunal and subsequently, transferred to the Principal Labour Court, Chennai by an order of the Central Government for adjudication and when it was pending enquiry there again it was transferred to the file of this Tribunal by the order of the Central Government. On receipt of records, this dispute has been taken on file by this Tribunal as I.D. No. 640/2001 and notices were sent to both the parties by registered post to appear before this Court on the appointed date of hearing and to prosecute this case. Earlier when his case was pending before the Principal Labour Court, Chennai the Claim Statement of I Party and Counter Statement of the II Party were filed and the matter was pending enquiry. Though the notices sent by the Tribunal by Registered Post were served on both the parties, and the representative of the I Party/Union and the counsel for the II Party/Management appeared except filing an additional plea by the I Party/Union giving particulars about the date on which the concerned workmen were denied Agricultural Assistant assignment by the concerned branch of the Respondent/Bank, no further progress were made by either party to the proceedings, in spite of the case has been adjourned to various dates giving them sufficient opportunities. Then it was taken finally for enquiry on 17-6-2002, as usual, both the parties have not appeared and there was no representation on either side. Since the matter has been referred as an industrial dispute for adjudication by this Tribunal as early as 20-10-1998 by the Central Government as per the above mentioned orders, orders were reserved to decide the issue on the available materials on record.

7. No one has been examined as a witness on either side in respect of the various contention they have made in their

respective Claim Statement and Counter Statement. No document has been marked on either side in support of the averments made by either party in the respective Claim Statement and Counter Statement. The I Party/Union has raised this industrial dispute espousing the cause of two clerical staff employed in the Respondent/Bank alleging that the Respondent/Bank Management is not justified in not assigning Agricultural Assistant job to the concerned workmen Mr. Mohandoss at Pollachi branch and Mr. Arul Raj at Morupatti-Mettupalayam branch on 1-4-1996. It is the contention of the I Party/Union that at Pollachi branch of the Respondent/Bank, there were two permanent Agricultural Assistants posts in existence and on 13-3-1995 one Mr. Karuthapandian, Agricultural Assistant was transferred from Morupatti branch to Pollachi branch pending investigation of charges against him. Subsequently, Mr. I.S.R. Nair, a permanent Agricultural Assistant at Pollachi branch was transferred to Trichur. But the bank did not care to fill up the vacancy cause due to his transfer and thus the next senior clerical staff of that branch Mr. Mohandoss to be entrusted with that Agricultural Assistant post in transfer vacancy has been denied and thereby the special allowance attached to that post could not be availed by the said Mohandoss, though he happens to be the next senior person of that branch. Like that, it is the contention of the Petitioner Union that during 1995 at Morupatti-Mettupalayam branch two Agricultural Assistants posts were in existence, but the management filled up the vacancy by entrustment of Agricultural Assistant to only one person of that branch i.e. to Mr. Arul Raj and the other vacancy was not filled up. Later one Mr. Baskaran Agricultural Assistant From Melattur was transferred to Morupatti-Mettupalayam branch pending investigation against him as enquiry proceedings. So the Union has raised this dispute on behalf of the concerned workman before the Assistant Labour Commissioner (Central) Chennai during December, 1995 for non-assignment of Agricultural Assistants allowance to eligible clerical staff at Pollachi and Morupatti-Mettupalayam branches of the Respondent/Bank. It is their further contention that the senior most clerical staff at the respective branches are entitled to the assignment of Agricultural Assistant Allowance from the date of vacancy caused at the respective branches and Respondent/Bank's act for filling those permanent vacancies by posting another Agricultural Assistant from some other branches, who are facing enquiry proceedings compulsorily without their request is illegal and unjustified. Thus, the Respondent/Bank denies the rightful eligibility of senior persons in the concerned branch for their entitlement of allowance. But, it is contended by the Respondent in their Counter Statement that the Agricultural Assistants allowance is special allowance paid to the clerical staff who are assigned special duties of Agricultural Assistants mentioned in the Bipartite Settlement. The number of such posts in the branches are determined by the Bank. The need for assigning such special allowance duties of Agricultural Assistants to the members of clerical staff in the branch is assessed depending upon the total number of Agricultural accounts strength of staff available in a branch. It is further contended that it is not mandatory for the bank to fill up any vacancy in the post of Agricultural Assistants in a branch through the senior most clerical member and vacancy in the post of that branch need not be filled up by branchwise seniority. The bank is not precluded from transferring any assistant merely because an enquiry is pending or contemplated against him and that the transfer of an assistant for administrative and banking reasons is prerogative of the management. It is further contended that there is no unfairness in transferring an employee from one branch to another for administrative reasons due to the exigencies or needs of management. It is also the contention of the Respondent/Management that the Petitioner union has attempted to challenge the basic right of the management to transfer its employees trying to do indirectly what it cannot do directly. It is well settled legal position that such transfer do not constitute the change in conditions of service. Under given circumstances, the senior most employees of those branches are not entitled to any relief. The Bank is not required to provide more than the sanctioned posts of Agricultural Assistants at any branch. The number of posts at those branches was two each and the posts were filled up. It is the contention of the Respondent/Management that the bank has a right to transfer an employee and also right to transfer him assigning the same duties with special allowance thereof and the senior most clerk may aspire for assignment of special duties but it is the prerogative and the discretion of the bank to assign special duties to such persons or transfer another experienced clerk from another branch.

8. For the contention of the Petitioner Union that the concerned workmen S/Sri Mohandoss and Arul Raj being the senior most clerical staff of the Pollachi and Morupatti-Mettupalayam branches respectively are entitled to be assigned the Agricultural Assistants posts which carries the special allowance as Agricultural Assistant Allowance, no reliable evidence by way of documents like procedures followed by the Respondent/Bank or terms of Bipartite Settlement has been produced by the I Party/Union. It cannot be disputed that it is the prerogative right of the Respondent/Bank by filling up a vacancy of Agricultural Assistant post by transferring a person, who had already served as such in some other branch. That cannot said to be a procedural violation or an act of discrimination by the Respondent/Bank. It is not the case of the Petitioner Union such transferred persons to the post of Agricultural Assistants both in the branch of Pollachi and Morupatti-Mettupalayam branch of the Respondent/Bank were juniors to the senior most clerks of that respective branches i.e. Mr. Mohandoss and Arul Raj respectively. It is also not denied that the Respondent/Bank is the authority to decide the number of Agricultural Assistants post in every branch of the Respondent/Bank considering the total number of agricultural accounts and number of officers, clerks etc. in a branch. So when two posts of such Agricultural Assistants in both the branches have been duly filled up by the Respondent/Bank Management, a third post of Agricultural Assistant cannot be created in those branches, where the concerned workmen are the senior most clerical staff only to enable them to avail the special allowance for that post. It cannot be claimed that only a senior most clerk in the branch should be assigned those duties and paid that allowances and the Respondent/Bank has no right to transfer such Agricultural Assistants from other bank for the vacancy to be filled up in Pollachi as well as Morupatti-Mettupalayam branches of the Respondent/Bank. It is the prerogative right of the management to transfer a clerk due to exigencies or administrative needs and maintain or increase the efficiency is unassailable and such transfer do not constitute a change in conditions of service. So, under such circumstances, it is seen from the averments made in their respective Claim Statement and Counter Statement of the parties to this dispute, and the action of the management in not assigning the Agricultural Assistants job to senior most clerical staff for Pollachi and Morupatti-Mettupalayam branch is justified. Therefore, the concerned workmen Mr. Mohandoss and Arul Raj who are senior most employees of their respective branches are not entitled to any relief. Thus, the point is answered according to law.

9. In the result, an award is passed holding that the action of the management of Bank of Baroda in not assigning the Agricultural Assistants job to senior most clerical staff of Pollachi and Morupatti-Mettupalayam branches is justified and the I Party/Union cannot be granted the relief, as prayed for. No Cost.

(Dictated to the Stenographer, transcribed and typed by him, corrected and pronounced by me in the open court on this day the 29th July, 2002.)

K. KARTHIKEYAN, Presiding Officer

Witnesses Examined :—

On either side : None

Exhibits Marked :—

On either side : Nil

नई दिल्ली, 13 अगस्त, 2002

का.आ. 2806.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार कारपोरेशन बैंक के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/अम न्यायालय नई दिल्ली के संक्षेप (संदर्भ संख्या 6/2001) को प्रकाशित

करती है जो केन्द्रीय सरकार को 12-8-2002 को प्राप्त हुआ था।

[सं. एल-12011/229/2000-आईआर (बी-II)]

सो. गंगाधरण, अवर सचिव

New Delhi, the 13th August, 2002

S.O. 2806.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 6/2001) of the Central Government Industrial Tribunal-cum-Labour Court, New Delhi as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Corporation Bank and their workman, which was received by the Central Government on 12-8-2002.

[No. L-12011/229/2000-IR(B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL : NEW DELHI

Presiding Officer : Shri Badri Niwas Pandey

I.D. No. 6/2001

The General Secretary,
Corporation Bank Employees Union,
C/o Corporation Bank,
16/10, Arya Samaj Road,
Karol Bagh,
New Delhi.

.... Workman

Versus

Corporation Bank,
The Regional Manager,
Corporation Bank,
Regional Office,
Arya Samaj Road,
Karol Bagh,
New Delhi.

.... Management

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12011/229/2000-IR(B-II) dated 10-1-2001 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the General Manager, Regional Office, Corporation Bank, 16/10 Main Arya Samaj Road, Karol Bagh, New Delhi-110005 in reducing without any notice etc. H.R.A. and CCA of the employees of the Narela, Bawana and Alipur Branches and not paying them the H.R.A. and CCA at par with the employees of Delhi and employees of other nationalised Banks of the same area is justified, legal and valid? If not, what relief and benefit these employees are entitled to?"

2. Reference was received on 17-1-2001 and notice to parties was issued for filing claim on 27-3-2001. Since 27-3-2001 till today none of the parties appeared except on 1-6-2001 Sh. Rujesh Saxena appeared for Management and on 28-12-2001 Shri Praveen Kumar appeared for Management. Claim statement is not filed despite several opportunities. It appears that the workmen are not interested in prosecuting the case.

3. Hence No Dispute Award is given leaving the parties to bear their own costs.

B. N. PANDEY, Presiding Officer

Dated : 8-8-2002

नई दिल्ली, 13 अगस्त, 2002

का.मा. 2807.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डेवलपमेंट कमिशनर (हैंडिक्राफ्ट्स) के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण लखनऊ के पंचाट (संदर्भ संख्या 67/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-8-2002 को प्राप्त हुआ था।

[सं. एल-12011/5/87-डो-I I (बी)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 13th August, 2002

S.O. 2807.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 67/2002) of the Central Government Industrial Tribunal/Labour Court Lucknow now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Development Commissioner (Handicrafts) and their workman, which was received by the Central Government on 13-8-2002.

[No. I-12011/5/87-D-II(B)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, LUCKNOW

PRESENT :

Rudresh Kumar, Presiding Officer.

I.D. No. 67/2002 (Delhi No. 76/88)

Ref. No. L-12012/5/87-D.II(B) dated 21/22-7-87

BETWEEN

Mrs. Krishna Sharma, House No. 1372,
Najafgarh, New Delhi

AND

The Development Commissioner (Handicrafts), Ministry of
Commerce, West Block No. VII, R.K. Puram New Delhi

AWARD

By order No. L-12011/5/87-D.II(B) dated 21/22-7-1987, the Central Government in the Ministry of Labour, in exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute between Mrs. Krishna Sharma, H.O. 1372, Najafgarh, New Delhi and the Development Commissioner (Handicrafts), R.K. Puram, New Delhi for adjudication to CGIT-cum-Labour Court, New Delhi, Later, vide order No. Z-20025/54/2001-CLS.II dated 19-4-2002 the Central Government transferred this industrial dispute to this Tribunal for adjudication.

The reference under adjudication is reproduced :

"Whether the action of the Management of Development Commissioner (Handicrafts), Ministry of Commerce, West Block No. VII, R.K. Puram, New Delhi in terminating the services of Krishna Sharma, Jr. Exhibition Asstt. w.e.f. 31-10-1985 is justified? If not to what relief the workman entitled to?"

2. Admitted facts are that Krishna Sharma was appointed as Jr. Exhibition Assistant w.e.f. 17-8-1983 with the office of Development Commissioner (Handicrafts) Craft Museum, Pragati Maidan, Bhanon, Road, New Delhi. Her appointments were for a fixed tenure but extended from time to time by written orders. From the appointment letters relied by the workman, Krishna Sharma, she was appointed from 17-2-1983 to 16-11-1983 on daily wage on Rs. 15, 17-1-1983 to 31-3-1984 on Rs. 15 per day, 1-4-1984 to 30-9-1984 on Rs. 15 per day, 1-1-1984 to 31-3-1985 on Rs. 21.60 per day, 1-4-1985 to 30-9-1985 on Rs. 21.60 per day and 1-10-1985 to 31-10-1985 on of Rs. 21.60 per day. No further appointment was made after 31-10-1985 and the management refused the workman to perform duties w.e.f. 1-11-1985. It is also admitted that despite service tenure for more than 2 years, the workman was not given any notice before terminating her services orally or she was paid notice pay or compensation etc.

2. The case of the workman, is; that she uninterruptedly worked for more than two years as a daily wager and so her services could have terminated only after complying with provision of Section 25-F. Non compliance of the statutory provision as aforesaid, rendered her termination invalid and so she is entitled to reinstatement with full back wages.

3. The management has raised a preliminary objection that the National Handicrafts and Handloom Museum is not a 'industry' and the provision of the I.D. Act 1947 are not applicable. However, the facts recited in the statement of claim have not been refuted that the workman continuously worked for more than 2 years i.e. for 736 working days. The management assails contention of the workman, on the plea that her appointments were made by the various orders specifying fixed tenure and on expiry of the tenure, the relationship of master and servant automatically came to an end. Her last tenure was also 31-10-1985. There was no master and servant relationship on or after 1-11-1985. Elaborating further, it is pleaded that there was no "retrenchment" in view of the provision contained under Section 2(oo)(bb) of the I.D. Act, 1947. As discontinuation from duty as per stipulation in contract of employment is not 'retrenchment', Section 25-F of I.D. Act, is not applicable and the workman is not entitled to benefits envisaged under the said provision.

4. The submission, the National Handicrafts and Handlooms Museum is not an 'industry', can not be accepted. The workman has filed a number of documents indicating commercial activities of her employer, with motive of profit or otherwise, which show that the National Handicrafts and Handlooms Museum was involved in commercial activities and so, is covered by the definition of 'industry' under the I.D. Act.

5. The submission of the management that the termination of employment of the workman was automatic on expiry of the tenure and is not 'retrenchment' within the meaning of Section 2(oo) has to be accepted as by Act. No. 49 of 84, Sub-section (bb) was added which came into force on 18-8-84. The Sub-section provides that termination of the services of the workman, as a result of non renewal of the contract of the employment between the employer and the workman concerned on its expiry or such contract being terminated under a stipulation on that behalf contained there is not 'retrenchment.' The workman was appointed from time to time, for fixed tenure. Her last tenure ended on 31-10-1985, after the aforesaid amendment. As per the terms stipulated in the contract of the employment, she was not entitled to claim any legal right after 31-10-1985. The relationship of master and servant came to end automatically. In view of Section 2(oo)(bb) her termination is not covered in the definition of 'retrenchment' and benefit under Section 25 is not admissible in her case. This view finds support by the judgment of Apex Court reported at 2002 SCC (L&S) 264, Delhi Public School Vs. T. Prajapati & another.

6. In light of the above discussions, the action of the management of Development Commissioner (Handicrafts) Ministry of Commerce, New Delhi in terminating the service of Krishna Sharma, Jr. Exhibition Assistant w.e.f. 31-10-1985 is justified. She is not entitled to any relief.

Award as above.

LUCKNOW
8-8-2002

RUDRESH KUMAR, Presiding Officer

नई दिल्ली, 13 अगस्त, 2002

का.आ. 2808.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वये, केन्द्रीय सरकार इंडियन एयरलाइंस के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण लखनऊ के पंचाट [संदर्भ संख्या 19/2002 (दिल्ली नं. 91/89)] को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-8-2002 को प्राप्त हुआ था।

[सं. एल-11011/14/88-डीIII(बी)-आई आर (सी-I)]

एस.एस. गुप्ता, अवसर सचिव

New Delhi, the 13th August, 2002

S.O. 2808.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award [Ref. No. 19/2002 (Delhi No. 97/89)] of the Central Government Industrial Tribunal/Labour Court, Lucknow now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Airlines and their workman, which was received by the Central Government on 13-8-2002.

[No. L-11011/14/88-D-III(B)-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, LUCKNOW

PRESENT :

Rudresh Kumar, Presiding Officer.

I.D. No. 19/2002 (Delhi No: 91/89)

Ref. No. L-11011/14/88-D.III(B) dated 14-9-89

BETWEEN

The President, Airlines Cabin Crew Association, Central Office, Shangrilla-2/106 Sqn. Lrd. Harminder Singh Road, 7, Bunglows, Versova, Andheri (West), Mumbai-400061

AND

The Managing Director, Indian Airlines, Airlines House, New Delhi-110001

AWARD

By order No. L-11011/14/88-D.III(B) dated 14-9-1989, the Central Government in the Ministry of Labour, in exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this Industrial Dispute between the President, Airlines Cabin Crew Association, Central Office, Shangrilla 2/106, Sqn. Ltd. Harminder Singh Road, Versova, Andheri, Mumbai and the Managing Director, Indian Airlines, Airlines House, New Delhi for adjudication to the CGIT-cum-Labour Court, New Delhi. Later, vide order No. Z-20025/54/2001-CLS-II dated 19-4-2002 the Central Government transferred this industrial dispute to this Tribunal for adjudication.

The reference under adjudication is reproduced :

"Whether the 34 demands raised by the Airlines Cabin Crew Association, Bombay on the Management of Indian Airlines (As mentioned in the Annexure) are justified. If so, what relief are the workman concerned entitled to?"

2. As alleged, the Airlines Cabin Crew Association, was registered in February 1980 having its registered office at Mumbai, and represents flight Purser and Air Hostesses, employed in Indian Airlines. It applied for recognition which was refused without assigning any reason, whatsoever. Thus, Airlines Cabin Crew Association, though not recognised, raised this industrial dispute seeking adjudication on its 34 demands, detailed in the annexure of the reference.

3. The management contended the claim and raised preliminary objection, the reference is not maintainable. It further assailed the claim that almost all demands were met by various settlements between the union and management and the workmen are deriving benefits.

4. This dispute was raised in the 1989. It appears that the representative union has not taken interest in pursuing the case for the last few years. By order dated 15-7-2001, CGIT-cum-Labour Court, New Delhi noted that the workman is not appearing in the case and also in view of the fact the reference was made 12 years back, a notice be issued seeking categorical reply whether the representative union still presses the demands and, if in affirmative, the details of the demands which remained unfulfilled. It was also observed that in the event no reply is received, there would be no option but to assume that union is no longer serious in pursuing the demands for adjudication and appropriate order would be passed. Management was also directed to submit details of the demands which were settled or fulfilled and became infructuous with efflux of time. Notice was issued in compliance of the aforesaid order on 27-7-2001. Despite notice, none appeared for the workmen on 21-8-2001. A/R of the management informed that out of 34 demands, almost all the demands have been met, and this being the reason, none is appearing on behalf of the workmen to pursue this case. The Tribunal thought appropriate to issue fresh notice to the workmen union through A.N. Edulji, President, Airlines Cabin Crew Association, Central Office, Shangrilla-2/106, Sqn. Lrd. Harminder Singh Road, 7, Bunglows, Versova, Andheri (West) Mumbai-400061, and next date was fixed on 18-9-2001. Later, this case was transferred from CGIT-cum-Labour Court, New Delhi to this Tribunal. The case was taken up on 6-6-2002 in Camp Court at CGIT-cum-Labour Court, New Delhi. None from the side of the workmen appeared on that day, despite registered notice issued on 23-5-2002 by this Tribunal. The case was listed again on 7-6-2002. The management submitted that in earlier settlements between the management and union on 5-10-1987, 31-7-1989, 21-9-1995, 11-4-1996, 7-10-1997 and 9-2-2001, almost all the demands raised in this industrial dispute have been met and also a dispute is under adjudication before the National Industrial Tribunal, Mumbai. As a caution, this Tribunal thought it appropriate to issue another notice to the workman fixing 17-7-2002 to explain as which of the demands require adjudication. Registered notice was issued on 11-6-2002 from this Tribunal but no response made to this notice.

5. From perusal of the case records, it appears that Hon'ble High Court, New Delhi in CWP 3422/89 Indian Airlines Vs. Airlines Cabin Crew Association and others decided on 13-12-1991, held :

"In these circumstances, I hereby accept this Writ Petition only to the extent that those demands which have already been settled shall not form part of the reference and only those demands which have not been settled, shall form part of the reference to the Industrial Tribunal who shall proceed to decide those demands in accordance with law. Writ Petition is partly allowed."

6. In compliance of the said direction, the workman union should have clarified the position and also amended the claim statement, but there appears total apathy. None appeared despite repeated notices, which gives inference of not pursuing the case. In the said circumstances, the proceeding is closed by a 'no claim award'.

LUCKNOW,

8-8-2002.

RUDRESH KUMAR, Presiding Officer

नई दिल्ली, 12 अगस्त, 2002

का.आ. 2809.—केन्द्रीय सरकार संतुष्ट है कि लोकहित में ऐसा अपेक्षित है कि भारतीय रिजर्व बैंक नोट मुद्रण लिमिटेड मैसूर (कर्नाटक) एवं सालबोनी (पश्चिम बंगाल) में सेवाओं को जिसे औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची की प्रविष्टि 25 के अन्तर्गत निर्दिष्ट किया गया है, उक्त अधिनियम के प्रयोजनों के लिए लोक उपयोगी सेवाएं घोषित किया जाना चाहिए।

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (डू) के उप-खण्ड (6) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए तत्काल प्रभाव से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[सं. एस-11017/2/96-आईआर (पी.एल.)]

एच.सी. गुप्ता, उप सचिव

New Delhi, the 12th August, 2002

S.O. 2809.—Whereas the Central Government is satisfied that the public interest requires that the services in Bharatiya Reserve Bank Note Mudran Limited at Mysore (Karnataka) and Solbani (West Bengal) which are covered by item 25 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947), should be declared to be a public utility service for the purposes of the said Act.

Now, therefore, in exercise of the powers conferred by sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares with immediate effect the said industry to be a public utility service for the purposes of the said Act for a period of six months.

[No. S-11017/2/96-IR(PL)]

H. C. GUPTA, Dy. Secy.

नई दिल्ली, 20 अगस्त, 2002

का.आ. 2810.—केन्द्रीय सरकार संतुष्ट हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (डू) के उप-खण्ड (6) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 1069

दिनांक 7-3-2002 द्वारा बैंकिंग उद्योग को उक्त अधिनियम के प्रयोजनों के लिए दिनांक 19 मार्च, 2002 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था ;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ावा जाना अपेक्षित है ;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (डू) के उप-खण्ड (6) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 19-9-2002 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[सं. एस-11017/5/97-आईआर (पीएल.)]

एच.सी. गुप्ता, अवसर सचिव

New Delhi, the 20th August, 2002

S.O. 2810.—Whereas the Central Government having been satisfied that the public interest so required has, in pursuance of the provisions of sub-clause (vi) of the clause (n) of section 2 of the Industrial Dispute Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 1069 dated 7-3-2002 the Banking Industry to be a public utility service for the purpose of the said Act, for a period of six months from the 19th March, 2002.

And, whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months.

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a period of six months from the 19th September, 2002.

[No. S-11017/5/97-IR(PL)]

H. C. GUPTA, Dy. Secy.